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1935

*At an ASSEMBLY held in Philadelphia, the Fourteenth
Day of October, Anno Domini 1756, P. M.*

October 14, 1756.

By the Returns of the Sheriffs of Seven Counties, it appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of Pennsylvania, for the Year ensuing, viz.

For *Philadelphia County.*

*Isaac Norris,
Joseph Fox,
Thomas Leech,
Daniel Roberdeau,
John Hughes,
John Baynton,
Joseph Galloway,
Richard Pearne.*

For *Philadelphia City.*

*Benjamin Franklin,
William Masters.*

For *Bucks County.*

*Griffith Owen,
Richard Walker,
Joseph Hamton,
Mahlon Kirkbride,
William Smith,
James Melvin,
William Hoge,
Gabriel Vanhorn.*

For *Chester County.*

*Joseph Gibbons,
Peter Dicks,
John Morton,
Roger Hunt,
George Ashbridge,
Hugh Trimble,
Nathaniel Pennock,
Nathaniel Grubb.*

For *Lancaster County.*

*Emanuel Carpenter,
James Wright,
James Webb,
John Douglass.*

For *York County.*

*David M'Connaughy,
John Wright.*

For *Cumberland County.*

*No Return made, but
William West appeared.*

For *Berks County.*

Thomas Yorke.

For *Northampton County.*

William Allen.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That Mr. Fox, Mr. Masters, Mr. Owen, Mr. Morton, Mr. Carpenter, Mr. John Wright and Mr. Yorke wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when he will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 15, 1756.

A Return of the Sheriff of the County of *Cumberland*, was brought to the House, by which it appeared, that *William Allen* and *William West* were chosen Representatives to serve in Assembly for the said County.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would be ready to receive the House this Morning, at Twelve o'Clock, in the Council Chamber.

A Message from the Governor, by Mr. Secretary:

SIR,

"The Governor requires the Attendance of the Speaker and the House, in the Council Chamber, immediately."

Then Mr. Speaker, with the whole House, waited upon the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker; and that the Governor was pleased to approve their Choice. That the Speaker had then in the Name and Behalf of the House claimed the usual Privileges, *viz.*

That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

That their Persons may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report. And lastly,

That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleased to say, "That he should support the House in them, or any others they were entitled to."

Ordered, That the Clerk do prepare and bring to the House, in the Afternoon, two Copies of the Qualification appointed by Law to be taken by the Members of Assembly, and the Test of Abjuration; one of which Copies to be in the Form allowed by Law to be taken by the People called *Quakers*.

Then the House adjourned to Three o'Clock, *P. M.*

The Clerk, according to Order, brought to the House two Copies of the Qualification, and Test of Abjuration; but the Time of Day, directed by Law, for the Qualification of Members of Assembly, being elapsed;

The House adjourned to Ten o'Clock To-morrow Morning.

October 16, 1756.

The Qualification appointed by Law to be taken by Members of Assembly, and the Test of Abjuration, were taken and subscribed, first by Mr. Speaker in the Chair, and then at the Table by all the rest of the Members present in their Order.

Resolved, That *William Franklin* be Clerk to this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *David Edwards* be Door-keeper to this House for the ensuing Year.

Mahlon Kirkbride, William Hoge, Peter Dicks and Nathaniel Pennock, returned Representatives to serve in Assembly, requested Leave to resign their Seats, for the Reasons set forth in the following Paper, by them presented to the House, *viz.*

May it please the Speaker, and the House of Representatives,

UNDERSTANDING that the Ministry have requested the *Quakers*, who from the first Settlement of this Colony have been the Majority of the Assemblies of this Province, to suffer their Seats, during the difficult Situation of the Affairs of the Colonies, to be filled by Members of other Denominations, in such Manner as to prepare, without any Scruples, all such Laws as may be necessary to be enacted for the Defence of the Province in whatever Manner they may judge best suited to the Circumstances of it; and notwithstanding we think this has been pretty fully complied with at the last Election, yet, at the Request of our Friends, being willing to take off all possible Objection, we who have (without any Solicitation on our Part) been returned as Representatives in this Assembly, request we may be excused, and suffered to withdraw ourselves, and vacate our Seats in such Manner as may be attended with the least Trouble, and most satisfactory to this honourable House.

MAHLON KIRKBRIDE,
WILLIAM HOGE,
PETER DICKS,
NATHANIEL PENNOCK.'

And the House taking the foregoing Paper into Consideration,

Resolved, That the Request of the said Members be granted, and that their Seats be deemed vacant accordingly; and they are hereby disabled from sitting or serving in Assembly for the ensuing Year.

Ordered, That Mr. Speaker do issue his Order to the Provincial Secretary, requiring him to issue Writs to the Sheriffs of the Counties of *Bucks* and *Chester*, respectively, for electing other Persons in the Room and Stead of the said Members so disabled from sitting or serving in Assembly.

Mr. *Allen*, being returned a Representative for the County of *Cumberland*, and also for the County of *Northampton*, was called upon by the House to declare for which of the said Counties he intended to serve; and having declared that he chose to serve for the County of *Cumberland*, it was thereupon

Ordered, That Mr. Speaker do issue his Order to the Provincial Secretary, requiring him to issue a Writ to the Sheriff of the County of *Northampton*, for electing another Representative in the Room and Stead of the said *Allen*.

Then the House adjourned to next *Monday*, at Three o'Clock in the Afternoon.

October 18, 1756.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Leech* and Mr. *Franklin* be, with the Speaker, a Committee of Correspondence.

Ordered, That Mr. *Fox*, Mr. *Franklin*, Mr. *Ashbridge*, Mr. *Carpenter* and Mr. *Yorke* be a Committee of Grievances for the ensuing Year; and they have Power to send for Persons, Papers, and Records.

Ordered, That Mr. *Fox*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Pearne*, Mr. *Hamton* and Mr. *Morton* be a Committee to audit and settle the Accounts of the General Loan-Office, and other Public Accounts; and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts; and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have Power to send for Persons, Papers and Records.

Ordered, That Mr. *Fox* and Mr. *Franklin* be a Committee to revise the Minutes before they are printed.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That *Robert Charles* and *Richard Patridge*, Esquires, be Joint-Agents for this Province, at the Court of *Great-Britain*, for the Year ensuing.

Ordered, That a Copy of the foregoing Resolve, appointing the said *Robert Charles* and *Richard Patridge* Agents to this Province, be sent to them duly certified under the Great Seal.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 19, 1756.

A Message from the Governor by the Secretary :

SIR,

"The Governor requires the Attendance of the Speaker and the House immediately, in the Council Chamber."

Then Mr. Speaker, with the whole House, waited upon the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited upon the Governor, who was pleased to make a Speech to this House, a Copy of which he had delivered to the Speaker, and said, that the Papers referred to therein, should be immediately sent down to the House, by the Secretary.

The Governor's Speech was read at the Table, by Order, and follows in these Words, *viz*.

Mr. Speaker, and Gentlemen of the Assembly,

'I AM sensible this is not the usual Time of the Year when you proceed upon Business, yet the several weighty Affairs which I have to lay before you, will admit of no Delay, and oblige me to desire you will take them into your immediate Consideration.

'Having received his Majesty's Commands, to take the most speedy and effectual Measures to hinder all Correspondence with the Subjects of the *French King*, and to prevent their being supplied, either by Land or Sea, with Provisions or Warlike Stores; and his Royal Pleasure being further signified by Lord *Loudon*, to lay a Prohibition on the Exportation of all Manner of Provisions, I therefore earnestly recommend to you to frame a Bill for an Embargo, under such Penalties as will render the same effectual.

'The King also demands your Assistance in various Matters, relating to the Forces which his Majesty has been graciously pleased to send over for the Protection of his *American* Dominions, the Particulars whereof are specified in the Papers the Secretary will now deliver to you; and I cannot doubt you chearfully raising the Supplies necessary for the Services required,

'By some late Intelligence, I understand the Enemy are preparing to attack this Province with a large Body of *French* and *Indians*; nor are we secure from Insults by Sea; and it may be absolutely necessary to take sudden Measures of Defence, which the Sum already granted will not enable us to do, as a considerable Part of it has been employed to pay the Arrears due to the Troops, and other former Charges.

'On a mature Consideration of the present State of this Country, and from the many Applications for a general Defence, made to me in a late Journey to the Frontiers, I find a Militia Law is absolutely necessary, the late Act being repealed by his Majesty in Council. The Reasons that induced his Majesty to refuse his Assent to that Act, are fully set forth in the Reports of the Lords Commissioners of Trade, and a Committee of his Majesty's most Honourable Privy Council, on which the Repeal is founded; I must therefore press you, in the warmest Terms, with all possible Dispatch, to frame a just and equitable Bill, not liable to the Objections that proved fatal to the former Law.

'In consequence of a Treaty lately held at *Easton*, with the Deputies of the *Susquehanna Indians*, their Chief is now on his Return with some of our unhappy People, not long since made Prisoners. As this Affair will occasion a considerable Expence, I desire you will provide for it accordingly.

'Gentlemen, let me entreat you to avoid all Disputes, raise such Supplies as are wanted in our present imminent Danger, and pay a ready Obedience to his Majesty's Commands; which is the least Return you can make for his Royal Protection, and the great Expence the Mother Country is at for the Preservation of these Colonies."

Mr. Secretary brought down to the House, the several Papers referred to in the foregoing Speech; which were read, and the following were ordered to be entered on the Minutes of this House, *viz.*

*To the Right Honourable the Lords of the Committee of his
MAJESTY's most Honourable PRIVY COUNCIL for
Plantation Affairs.*

My Lords,

PURSUANT to your Lordships Order of the Twelfth of last Month, we have had under our Consideration the Petition of sundry of his Majesty's dutiful and loyal Subjects, Inhabitants of the Province of *Pennsylvania*, in Behalf of themselves and others, setting forth "the distressed and defenceless

State of that Province; and humbly praying "that his Majesty would graciously condescend to take their Condition under his wise and princely Consideration, which upon Enquiry will be found to be singularly distressing and grievous; and that his Majesty would further be graciously pleased to interpose his Royal Authority that this important Province, situated in the Center of his Majesty's *American* Dominions, may be put into a Posture of Defence;" and having been attended by Mr. *Paris*, Solicitor for the Petitioners, with Mr. *Yorke*, and Mr. *Forrester*, his Counsel; and by Mr. *Joshua Sharpe*, Solicitor in Behalf of the Assembly of *Pennsylvania*, with Mr. *Henly* and Mr. *Pratt*, his Counsel, and by the Agents for the said Province, and several of the Persons called *Quakers*, and heard what the respective Parties had to offer thereupon, we beg Leave to report to your Lordships:

That no Evidence has been laid before us, on the Part of the Petitioners, tending to prove the Facts set forth and alledged in their Petition; but as the defenceless State of the Province, arising from the Want of a proper Militia, and Forts and Places of Strength, has not been controverted by the Counsel for the Assembly; and as the Invasion of the *French*, who have forcibly possessed themselves of a Fort, built by his Majesty's Subjects, within the actual Limits of this Province, and the Ravages and Devastations of the Savage *Indians* upon their Frontiers, are Facts well known to your Lordships, we apprehend your Lordships will not require such legal Proofs of them as might be necessary upon a Question of less public Concern and Notoriety.

This is not the first Complaints which his Majesty's Subjects, Inhabitants of that Province, have made of the distressed State of it, arising from the Assembly's neglecting to make proper Provision by Law for putting it into a Posture of Defence in Times of Danger and Hostility. A like Complaint was made to his Majesty in the Year 1742; upon an Examination into which it did appear, that no Laws had ever been enacted in that Province for the Defence of it, for the building of Forts, for raising or training any Militia, or in general for providing against any Danger from without, either by *Indians*, Pirates, or other Enemies, as will more fully appear to your Lordships from the annexed Copy of a Report of this Board to the Lords of the Committee of Council on the Eighth of *July*, 1742.

The same System of Inaction, and Neglect of the Public Safety, has ever since prevailed and been pursued by the

Assembly, notwithstanding the many frequent Exhortations made to them from Time to Time by the Crown, by their Governors, and by their Fellow-Subjects, to provide for the Security and Defence of the Government.

The Reasons urged by the Assembly in the Year 1742, in Justification of their Conduct, were, that by a Charter of Privileges, granted to them by the first Proprietor, and by their own Laws, they were exempted from military Service; that they had till then subsisted without Forts or Militia; that being a peaceable People, they had not given Offence to their Neighbours; and as their Neighbours had never till then molested them, they apprehended they might subsist in Security without any military Force; and that in Case of any Emergency, the Proprietor was obliged, and, by his Charter, impowered, to defend them. But upon Enquiry and Examination it was found, that neither that Charter of Privileges, nor any Laws then existing, gave them such Right of Exemption from military Service; and it was observed, that the Proprietor was no more obliged to be at the Expence of defending them, in Case of Emergency, than the Governors of any other Colonies, who had the like Power in their Commissions.

As the Counsel, however, for the Assembly, have again strenuously insisted upon the Efficacy of the military Power given to Mr. *Penn* by his Charter, and the Obligation he is thereby under to provide for the Defence of the Province, it may be necessary to observe, that this Power, great as it is in Words, can have no Effect or Operation without the Aid and Concurrence of the Legislature, by enacting penal and compulsory Militia Laws, and by a proper and constitutional Appropriation of Money to military Purposes; and this Opinion is confirmed by the Practice and Usage in all other Colonies, whether the Government be by Charter, or by Commission from the Crown; in both which Cases, notwithstanding the Person intrusted with the Execution of Government has the same Power as the Proprietaries of *Pennsylvania*, yet no Militia could have been, or ever was, formed, or military Service executed, without an Act of the Legislature.

It has been indeed insisted upon by the Counsel for the Assembly, that the Proprietor has in the present Exigency received proper Aid and Support in the Exercise of the military Powers in his Charter from the Assembly, who have lately passed two Laws, the one for granting *Fifty-five Thousand Pounds* to the King's Use, the other for regulating such Per-

sons as are willing and desirous to be united for military Purposes. These Laws your Lordships have been pleased to refer to us by a separate Order, together with several others passed there at the same Time, and therefore we shall make a separate Report to your Lordships upon them; but we think it our Duty at present to trouble your Lordships with some short Observations, because upon the Merit or Demerit of these Laws, the Force or Weakness of the Arguments which have been attempted to be drawn from them will, in your Lordships Judgment, in great Measure depend.

By the first of these Laws, the Money thereby to be raised is to be placed in the Hands of a Committee of the Assembly, to be applied by them "for supplying friendly *Indians*, holding of Treaties, relieving distressed Settlers, who have been driven from their Lands, and other Purposes for the King's Use;" but not a Word is said of military Service; and though it has been argued, that the Words, *other Purposes*, will admit of such a Construction and Application, yet when it is considered, that the Committee, which has the sole Power and Direction of this Money, is Part of, and constituted by, an Assembly, principled against military Service, there is little Room to hope they will put such a Construction upon these Words.

As to the other Law, it is in every Respect the most improper and inadequate to the Service which could have been framed and passed, and is rather calculated to exempt Persons from military Services, than to encourage and promote them. No Methods are prescribed for compelling Persons by proper Penalties to associate in Defence of their Country, or for obliging those who are conscientiously scrupulous of bearing Arms themselves to find others in their Stead, or to provide for such as might, by the executive Power, be found ready and willing to enlist. The whole is voluntary, both in respect of Enlistment, and of the Subsistence of those who shall be inlisted; the Officers are to be elected by Ballot, and no Provision is made for that Subordination, without which, all Bodies of People, associated for military Purposes, would be absolutely useless: But these are not the only defective and mischievous Provisions of this Law, for it is enacted, that no Person under Twenty-one Years of Age should be enlisted; by which Means many able bodied Men, fit for the Service of their Country as Soldiers, would be excluded; and that no Regiment, Company or Party, shall be compelled or led more than three Days March beyond the inhabited

Parts of the Province, nor be detained against their Wills longer than three Weeks in any Garrison, let the Necessity of the Case be what it will; a Proviso, which, instead of rendering this Militia effectual to the Purposes of Defence, may be the Means of encouraging Desertions, and of sacrificing such of the King's Troops as may happen to be joined with them in the same Service. But were the Provisions of this Act ever so good and proper, yet little Advantage or Benefit could be hoped for from a Law, in the Preamble of which it is declared, that the Majority of the Assembly, which is in Effect the governing Part of that Province in which it is to operate, and from whom his Majesty's Subjects ought to receive Support and Protection, are principled against bearing Arms; and that the making a Law to compel Persons thereto, would be to violate a Fundamental of the Constitution, and be a direct Breach of the Privileges of the People.

Upon the whole, we are humbly of Opinion, that the Legislature of every Country is in Duty bound, by the original Constitution, Frame and Compact of Government, to support and defend that Government, and those who are subject to it; that the Assembly of *Pennsylvania* is in no Degree exempted from this general Law of Nature and Society, but, on the contrary, is obliged by the Charter to the Proprietors to aid and assist them in the Execution of the Powers given to them by that Charter, which cannot be carried into Execution without such Aid and Assistance; that the Measures alleged by the Assembly to be intended for this Purpose are improper, inadequate and ineffectual; and that there is no Reason to hope that proper or effectual Measures will be taken, while the Majority of the Assembly consists of Persons whose avowed Principles are against military Services, however necessary for the Security and Defence of Government, who have declared by public Acts, that it is a Violation of a Fundamental of the Constitution, and a direct Breach of Privilege, to compel Persons to bear Arms, or to find or provide for such as will do military Service in their Stead, and who, though not a sixth Part of the Inhabitants of the Province, are yet, contrary to the Principles, the Policy and the Practice of the Mother Country, admitted to hold Offices of Trust and Profit, and Sit in the Assembly, without their Allegiance being secured to the Government by the Sanction of an Oath; and therefore we see no Remedy to the Evils so justly complained of by the Petitioners, unless by the Interposition of an Act of the *British* Legislature, agreeable to the Opinion of his Majesty's Attorney and Solicitor General, when

the defenceless State of this Province was under your Lordships Consideration upon a Report from this Board on the Seventh of November, 1744, a Copy of which is hereunto annexed. We are, My Lords,

Your Lordships most obedient, and most humble Servants,

*Whitehall,
March 3, 1756.*

DUNK HALIFAX, SOAME JENYNS,
J. TALBOT, RICHARD RIGBY."

*To the Right Honourable the Lords of the Committee of his
MAJESTY's most honourable PRIVY COUNCIL, for
Plantation Affairs.*

My LORDS,

WE have had under our Consideration seven Acts, passed in the Province of Pennsylvania, in the Months of April, June, August, September and November, 1755, referred to us by your Lordships Orders of the Nineteenth of January, and Twelfth of February, 1756.

We have also consulted Sir Matthew Lamb, one of his Majesty's Council, upon the said Acts, who has no Objection in Point of Law to either of the Three following; and as no Objection appears to us against them, we beg Leave to lay them before your Lordships, as fit to receive his Majesty's Approbation.

"An Act to continue an Act to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to Cape-Breton, or to any other Dominions of the French King, or Places at present in the Possession of any of his Subjects."

"An Act for striking the Sum of Ten Thousand Pounds in Bills of Credit, to exchange such of those, now by Law current, within this Province, as are torn and defaced."

"An Act to continue an Act, entitled, An Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton."

The following Act, passed the Fifth Day of April, 1755, entitled, *"An Act to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to Cape-Breton, or to any other the Dominions of the French King, or Places at present in Possession of any of his Subjects,"* having been enacted for one Year only, is now expired.

With respect to the following Act, entitled, *"An Act for*

granting the sum of Sixty Thousand Pounds to the King's Use, and for striking Fifty-five Thousand Pounds thereof in Bills of Credit, and to provide a Fund for sinking the same;" we beg Leave to acquaint your Lordships, that since our Report, dated the Third of *March* last, in which we stated to your Lordships certain Objections to such Terms and Provisions of this Act as gave us great Room to doubt, whether any Part of the Money thereby to be raised would be effectually applied to Purposes of Defence, we have been well informed, that Numbers of Men have been levied in *Pennsylvania*, and that Forts are now building in that Province: For these Reasons, and because the Act establishes a Fund for sinking the Bills of Credit to be thereby emitted within so short and reasonable a Period as four Years, we are of Opinion, that his Majesty may be graciously pleased to approve and confirm it.

The following Act, entitled, "*An Act for extending so much of an Act of Parliament, entitled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters, in that Part of Great-Britain called England,*" appearing to us to be of an extraordinary and unusual Nature, we thought it our Duty to refer it to his Majesty's Attorney General, who has reported to us as his Opinion, "That it is not advisable for his Majesty to approve thereof; that the Tendency of this Act must unavoidably be to cramp the public Service, and obstruct the Defence of the Province; that it assumes Propositions, true in the Mother Country, and rightly asserted in the Reigns of CHARLES the First, and CHARLES the Second, in Times of Peace, and when Soldiers were kept up, without Consent of Parliament; but that the Application of such Propositions to a Colony, in Time of War, in the Case of Troops, raised for their Protection by the Authority of the Parliament of *Great-Britain*, made the first time by an Assembly, many of whom plead what they call Conscience, for not making or assisting military Operations to resist the Enemy, should not be allowed to stand as Law."

With respect to the Act passed in *November*, 1755, and entitled, "*An Act for the better ordering and regulating such as are willing and desirous to be united for military Purposes within this Province,*" it is in every Respect the most improper and inadequate to the Service which could have been framed and passed, and seems rather calculated to exempt

Persons from military Service, than to encourage and promote them. No Methods are prescribed for compelling Persons, by proper Penalties, to associate in Defence of their Country, or for obliging those who are conscientiously scrupulous of bearing Arms themselves to find others in their Stead, or to provide for such as might, by the executive Power, be found ready and willing to enlist: The Whole, both in respect of Enlistment, and of the Subsistence of those who may be enlisted, is voluntary; the Officers are to be elected by Ballot, and no Provision is made for that due Subordination, without which, all Bodies of Men associated for military Purposes would be absolutely useless. But these are not the only defective and mischievous Provisions of this Act; for it is enacted, that no Person under Twenty-one Years of Age shall be enlisted, by which Means, many able bodied Men, fit for the Service of their Country, as Soldiers, would be excluded; and that no Regiment, Company or Party, shall be compelled or led more than three Days March beyond the inhabited Parts of the Province, nor be detained against their Wills longer than three Weeks in any Garrison, let the Necessity of the Case be what it will; a Proviso which, instead of rendering this Militia effectual to the Purposes of Defence, may be the Means of encouraging Desertion, and of sacrificing such of the King's Troops as may happen to be joined with them in the same Service. But were the Provisions of this Act ever so good and proper, yet little Advantage or Benefit could be hoped for from a Law, in the Preamble of which it is declared, that the Majority of the Assembly, which is in Effect the governing Part of the Province in which it is to operate, and from whom his Majesty's Subjects ought to receive Support and Protection, are principled against bearing Arms; and that the Making a Law to compel Persons thereto, would be to violate a Fundamental of the Constitution, and be a direct Breach of the Privileges of the People: We are therefore of Opinion, that this Act should receive his Majesty's Disallowance. We are, My Lords,

Your Lordships most obedient, and most humble Servants,
Whitehall, DUNK HALIFAX, SOAME JENYNS,
 April 15, 1756. JAMES OSWALD, RICHARD RIGBY."

At the COUNCIL-CHAMBER, Whitehall, the 24th of June. 1756.
By the Right Honourable the LORDS of the Committee of
COUNCIL for Plantation Affairs.

YOUR Majesty having been pleased, by Your Order in Council of the Eleventh of *February* last, to refer unto this Com-

mittee two Acts passed in the Province of *Pennsylvania* in *August* and *November*, 1755, the Lords of the Committee did, on the Twelfth of *February* last, take the said Acts into their Consideration, and thought proper to transmit the same to the Lords Commissioners for Trade and Plantations, for their Opinion thereupon, who have reported to this Committee, "That they have considerd the same, and that the following Act, entituled, *An Act for extending so much of an Act of Parliament, entituled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters in that Part of Great-Britain called England*; appearing to them to be of an extraordinary and unusual Nature, they thought it their Duty to refer it to Your Majesty's Attorney-General, who hath reported to them, as his Opinion, that it is not adviseable for Your Majesty to approve thereof: That the Tendency of this Act must unavoidably be to cramp the public Service, and obstruct the Defence of the Province: That it assumes Propositions true in the Mother Country, and rightly asserted in the Reigns of CHARLES the First, and CHARLES the Second, in Times of Peace, when Soldiers were kept up without Consent of Parliament; but that the Application of such Propositions to a Colony in Time of War, in the Case of Troops raised for their Protection by the Authority of the Parliament of *Great-Britain*, made the first Time by an Assembly, many of whom plead what they call Conscience for not making or assisting military Operations to resist the Enemy, should not be allowed to stand as Law.

"And with respect to the Act passed in *November*, 1755, entituled, *An Act for the better ordering and regulating such as are willing and desirous to be united for military Purposes within this Province*; the said Lords Commissioners have reported, that it is in every Respect the most improper and inadequate to the Service which could have been framed and passed, and seems rather calculated to exempt Persons from military Services, than to encourage and promote them. No Methods are prescribed for compelling Persons, by proper Penalties, to associate in Defence of their Country, or for obliging those, who are conscientiously scrupulous of bearing Arms themselves, to find others in their Stead, or to provide for such as might, by the executive Power, be found ready and willing to enlist. The Whole, both in respect to Enlistment, and of the Subsistence of those who may be enlisted, is

voluntary: The Officers are to be elected by Ballot, and no Provision is made for that due Subordination, without which all Bodies of Men, associated for military Purposes, would be absolutely useless. But that these are not the only defective and mischievous Provisions of this Act; for it is enacted, that no Person under Twenty-one Years of Age shall be enlisted, by which Means many able bodied Men, fit for the Service of their Country, as Soldiers, would be excluded; and that no Regiment, Company or Party, shall be compelled, or led, more than three Days March beyond the inhabited Parts of the Province, nor be detained against their Wills, longer than three Weeks, in any Garrison, let the Necessity of the Case be what it will. A Proviso, which, instead of rendering this Militia effectual to the Purposes of Defence, may be the Means of encouraging Desertion and of sacrificing such of your Majesty's Troops as may happen to be joined with them in the same Service. But were the Provisions of this Act ever so good and proper, yet little Advantage or Benefit could be hoped for from a Law, in the Preamble of which it is declared, that the Majority of the Assembly, which is in effect the governing Part of the Province in which it is to operate, and from whom your Majesty's Subjects ought to receive Support and Protection, are principled against bearing Arms; and that the making a Law to compel Persons thereto, would be to violate a Fundamental of the Constitution, and be a direct Breach of the Privileges of the People. The said Lords Commissioners were therefore of Opinion, that this Act should receive your Majesty's Disallowance."

Upon Consideration whereof, the Lords of the Committee do agree humbly to report as their Opinion to your Majesty, that both the said Acts ought to be repealed.

A true Copy.

W. SHARPE.

At the COURT at Kensington, the 7th Day of July, 1756.

PRESENT,

The KING's most Excellent MAJESTY.

Lord President,	Lord Berkeley, of Stratton,
Lord Privy Seal,	Lord Raymond,
Duke of Devonshire,	Lord Edgumbe,
Earl of Holderness,	Lord Anson,
Earl of Rochford,	Mr. Secretary Fox,
Earl of Buckinghamshire,	Sir Thomas Robinson.
Lord Delawarr,	

WHEREAS in Pursuance of the Powers granted to the Pro-

prietaries of the Province of *Pennsylvania*, by Letters Patent, under the Great Seal, the Deputy Governor, Council and Assembly of the said Province, did in *August* and *November*, 1755, pass two Acts, which have been transmitted, and are entituled as follow, *viz.*

"An Act for extending so much of an Act of Parliament, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, passed in the Twenty-eighth Year of the present Reign, as relates to the Quartering and Billeting of Soldiers, and Payment of their Quarters, in that Part of *Great-Britain* called *England*."

"An Act for the better ordering and regulating such as are willing and desirous to be united for military Purposes within this Province."

His Majesty this Day took the said Acts into his Royal Consideration, and having received the Opinion of the Lords Commissioners for Trade and Plantations, and also of a Committee of the Lords of his Majesty's most Honourable Privy Council thereupon, is hereby pleased to declare his Disallowance of the said Acts. And pursuant to his Majesty's Royal Pleasure thereupon expressed, the said Acts are hereby repealed, declared void, and of none Effect. Whereof the Deputy Governor, Council and Assembly of the said Province, and all others whom it may concern, are to take Notice, and govern themselves accordingly.

W. SHARPE."

GEORGE R.

Additional INSTRUCTION to Our trusty and well-beloved WILLIAM DENNY, Esq; Deputy-Governor of Our Province of Pennsylvania, in America; or to the Commander in Chief of Our said Province for the Time being. Given at our Court at Kensington, the Fifth Day of July, 1756, in the Thirtieth Year of Our Reign.

WHEREAS by Our Declaration, dated the Seventeenth Day of *May* last, we have thought fit to declare War against the *French* King, his Subjects and Vassals: And whereas we have been informed, that heretofore, in Times of War, our Subjects in several of our Colonies and Plantations in *America*, have corresponded with our Enemies, and supplied them with Provisions and Warlike Stores, whereby our Service has been greatly prejudiced, and the Safety of our Dominions endangered: It is therefore our express Will and Pleasure, that you do take the most speedy and effectual Measures to hinder all Correspondence between any of our Subjects inhabiting

our Province of *Pennsylvania*, under your Government, and the Subjects of the said *French* King, and to prevent any of the Colonies or Plantations belonging to our Enemies, or other Places possessed by them in *America*, being supplied either by Land or by Sea, from our said Province, under your Government, with Provisions or warlike Stores of any Kind.

And in Case you shall find it necessary to have an Act passed for the Purposes above-mentioned, you are earnestly to recommend it in our Name to the Legislature of our said Province, to prepare and pass such Act.

G. R."

SIR,

Albany, September 22, 1756.

I HAD since my Arrival, prior to your entering upon the Administration, received two Letters from Governor *Morris*. He gives me an Account of a Treaty or Conference he had held at *Bethlehem*, with some *Indians* living on the East Branch of the *Susquehanna*. I had been apprized before, by Sir *William Johnson*, of the Invitation given by the Governor and Government of *Pennsylvania* to this Treaty. I must here answer in general, and once for all, that his Majesty having entirely taken out of the Hands of the Governments and Governors, all Right to treat with, confer, or make War or Peace, with the *Five Nations*, or any of their Allies or Dependents; and having reposed this Trust wholly and solely in the Hands of Sir *William Johnson*, his sole Agent for these Affairs, under my Direction; I do hereby for the future forbid you, or your Government, from conferring or treating with these *Indians*, in any Shape, or on any Account whatever; and I do direct, that whatever Business in that Branch of his Majesty's Service shall arise to your Government or Province, you do refer it, and put it into the Hands of his Majesty's sole Agent, who will, according to the Powers with which he is invested, negotiate and settle such Matters in the Way his Majesty has directed. I do not at all enter into the Merits of this Affair, because these have been considered by his Majesty, and what I now direct is by his Majesty's Order thereupon.

After the wise Steps Sir *Charles Hardy* had taken, in concerting with Governor *Morris*, and the other Governors, an Embargo on the Exportation of Provisions, I cannot but express my Sorrow to find the Effects frustrated, by Governor *Morris* suffering himself to be advised by his Council to discontinue it. However, I have wrote to your Government, as well as the others, in the strongest Terms, requiring them,

as I am commanded by his Majesty, to lay and continue an Embargo on Provisions. This Letter you will have received, and cannot make the least Doubt of your Compliance therewith.

As his Majesty is graciously pleased to support and send over to these Parts of his Dominions, for the Defence of the good People of *North-America*, so large a Body of Troops;—and as so great a Part of the Expence and Charge is borne by the Mother Country, it is proper you distinctly and precisely understand what his Majesty requires, and the Mother Country expects, on your Part.

First, That each Province and Colony respectively and separately do provide for all such Charges as arise from furnishing Quarters, and Necessaries allowed in Quarters by Act of Parliament, in furnishing Carriages, Sloops, and all other necessary Means of Conveyance for his Majesty's Troops, whenever such Troops be stationed within, or shall be marching through, such Province or Colony: These Charges being peculiarly local, and arising within the Province.

Secondly, That a general Fund be established in *North-America*, by Monies raised in all the Colonies collectively, to be issued and applied for such Articles of a general Concern, as come properly under the general Service, in such Manner as the Commander in Chief shall direct. And that each Province and Colony do accordingly appropriate to this general Service, such Sums as shall be raised for his Majesty's Use in the Defence of the Colonies.

One Article of which general Service his Majesty is pleased to specify to be, the making Provision for the Enlisting-Money of such Levies of Men as his Majesty has directed to be raised in *North-America* for your Defence; as also for reimbursing the Masters of such indented Servants as shall be legally inlisted in his Majesty's Service, according to an Act of Parliament passed this last Sessions.

I do therefore, as I am directed by his Majesty's Commands, demand of your Province in the above Matters. And as his Majesty is at present graciously pleased to make such Allowance towards victualing his Troops, as must greatly remove all Difficulty of Quartering as to that Article, I must expect, that in the Article of Lodging, and such other Necessaries as are furnished in Quarters in *Great-Britain* in Time of War, your Province will more chearfully make full and sufficient Provision. I must therefore beg of you, that you will acquaint the People of your Province, that when I shall have Occasion to put his Majesty's Troops into Quarters,

that I do and must expect to find such as are necessary in your Province. As also, that whenever I shall have Occasion to march or send any Body or Party of Troops through your Province, I must expect that they be furnished with all necessary Means of Conveyance. The providing all which in such Manner as may be most convenient, and least burdensome to the Province, the Legislature thereof will I hope consider of.

As to the Application I received from you, and the several Governors of the other Provinces, for particular Assistance, confined to the Frontiers of each respective Province, I must give one general Answer, that neither the State of the Service, nor the Number of Troops I can collect, renders such Measures proper, or, indeed, possible: Defend yourselves against the little flying Parties of the Enemy; take Post where that Defence can be best maintained; and, by sending me Recruits of Men, enable me to act against the Body of the Enemy's Force where they are collected, and, by Divine Assistance, we may secure and maintain his Majesty's Dominions, and fully protect his good People of *North-America*. I have the Honour to be, with great Regard, *Sir*,

Your most obedient humble Servant,

LOUDON.

P. S. I am to sit down, as soon as I can find Time, to write you a very long Letter on several Subjects not mentioned in this public Letter, which I imagine will be of use to the public Service, and I dare say you will approve of."

The Rules usually observed by the Assemblies of this Province (printed in the Minutes of 1704,) with the two additional Rules made by the last Assembly, being read, were agreed to be observed by this House.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor's Speech was again read, with several of the Papers therein referred to; and, after some Time spent in Consideration thereof, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 20, 1756.

The House resumed the Consideration of the Governor's Speech; and, after some Time spent therein,

Ordered, That Mr. Galloway, Mr. Masters, Mr. Walker, Mr. Ashbridge, Mr. Douglas, Mr. John Wright, Mr. West and

Mr. *York* be a Committee to prepare and bring in a Bill for prohibiting the Exportation of Provisions, naval or warlike Stores, from this Province to the *French*.

Mr. Speaker laid before the House, a Copy of his Order to the Provincial Secretary for issuing Writs for a new Election of five Members of Assembly, in the Room of those who had resigned; also a Letter he received from the Secretary on that Head; and informed the House, that he had sent the Secretary a Copy of the Minute of the House, containing the Reasons for issuing the said Order.

And the said Order and Letter were read, and are as follow, viz.

Pennsylvania, ss.

By a Resolve of this Assembly, on the Sixteenth Instant, I am impowered and directed to order the Provincial Secretary, that he do issue a Writ to the Sheriff of the County of *Bucks* for the Election of two Members to serve as Representatives in this Assembly for the said County of *Bucks*, in the Room and Stead of *Mahlon Kirkbride* and *William Hoge*, Esquires; and one other Writ to the Sheriff of *Chester* County, for the Election of two Members to serve as Representatives in this Assembly for the said County of *Chester*, in the Room and Stead of *Peter Dicks* and *Nathaniel Pennock*, Esquires; and likewise one other Writ to the Sheriff of *Northampton* County, for the Election of one Member to serve as a Representative in this Assembly for the said County of *Northampton*, in the Room and Stead of *William Allen*, Esquire: Therefore, by Virtue of the said Resolve, and in Pursuance of an Act of Assembly of this Province in that Case made and provided, I do require that Writs be issued to the Sheriffs of the said respective Counties for the Purposes aforesaid, according to the Directions of the said Law. Dated at *Philadelphia*, the Eighteenth Day of *October*, A. D. 1756.

ISAAC NORRIS, *Speaker*.

To Richard Peters, *Esq*; Provincial Secretary."

SIR,

October 19, 1756.

On Receipt of your Order, requiring me to issue a Writ to the Sheriff of the County of *Bucks*, for the Election of two Members to serve as Representatives in this Assembly for the said County of *Bucks*, in the Room and Stead of *Mahlon Kirkbride* and *William Hoge*, Esquires; and one other Writ to the Sheriff of *Chester* County, for the Election of two Members to serve as Representatives in this Assembly

for the said County of *Chester*, in the Room and Stead of *Peter Dicks* and *Nathaniel Pennock*, Esquires; and likewise one other Writ to the Sheriff of *Northampton* County, for the Election of a Member to serve as a Representative in this Assembly, for the said County of *Northampton*, in the Room and Stead of *William Allen*, Esq; I laid the Order before the Governor, who commands me to inform you, that as it appears to him, by the Returns of the proper Officers, the Gentlemen, mentioned in your Order, were duly elected Representatives of the People in the Counties of *Bucks*, *Chester* and *Northampton*, he ought to be made acquainted, either by a Copy of the Resolve of the House, or Reasons assigned by you, in your Order, by what Means they have been deprived of their Rights to sit and vote as Members of Assembly in your House, previous to my issuing Writs for new Elections.

As soon as you shall be pleased to give Satisfaction to his Honour in this Point, I shall be ready to yield immediate Obedience to your Order; and am, very respectfully, *Sir*,

Your most obedient humble Servant,

To the Honourable *Isaac Norris*, Esq; *RICHARD PETERS.*"
Speaker of the Assembly.

A Petition from *Michael Lovell*, *Archibald Hillhouse*, *James Stevenson* and *Charles Williams*, late Inhabitants of *Antigua*, but now resident in the City of *Philadelphia*, was presented to the House and read, setting forth, that it being generally reported that an Embargo is proposed to be laid on Provisions for a considerable Space of Time, and the Petitioners apprehending that the State of the Sugar Islands is not perfectly known here, particularly that of the Island of *Antigua*, in which they have either Families, Relations, or Negroes; they beg Leave, therefore, humbly to remonstrate, that the said Island of *Antigua* doth not contain Seventy Thousand Acres of Land, all the fertile Part of which is employed in the Cultivation of the Sugar Cane only; that the said Island contains above Thirty-five Thousand Inhabitants; that the Support of the said Inhabitants, with Grain, and all the Species of Bread Kind, depends principally on their Supplies from *North-America*; that if at this Time a very long Embargo should ensue, the numerous Inhabitants would be in Danger of perishing for Want of those Supplies, and his Majesty's Government in that Island very much distressed; the Petitioners therefore pray, that this House will take the

Premises into their serious Consideration, and do therein what their Wisdom and Prudence shall direct.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The House again resumed the Consideration of the Governor's Speech; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 21, 1756.

The Committee appointed to prepare a Draught of a Bill for prohibiting a Trade with the *French*, reported, that they had made some Progress therein, but not having compleated the same, desired farther Time for that Purpose; which was granted by the House accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

A Bill to prevent the Exportation of Provisions, naval or Warlike Stores, from this Province to any of the Dominions of the *French* King, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

The House again resumed the Consideration of the Governor's Speech; and, after some Time spent therein,

Ordered, That Mr. *Hughes*, Mr. *Franklin*, Mr. *Owen*, Mr. *Grubb*, Mr. *James Wright*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for regulating the Hire of Carriages, &c. for the King's Service, within this Province.

Ordered, That the Clerk do call upon the Treasurer, and enquire whether he has received from the Secretary an Account of the Licences granted for Public Houses; and if he has, to require the same to be laid before the House.

Ordered, That Mr. *Smith*, Mr. *John Wright* and Mr. *West* be added to the Committee of Grievances for the ensuing Year; and that the said Committee cause an Advertisement to be published, requiring the People who have had their Servants enlisted in the King's Service, to send them an Account of the Cost of the said Servants, the Time they had to serve when enlisted, &c.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 22, 1756.

The House resumed the Consideration of the Governor's Speech; and, after some Time spent therein,

Ordered, That Mr. *Baynton*, Mr. *Franklin*, Mr. *Walker*, Mr. *Hunt*, Mr. *Douglas*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke*

be a Committee to prepare and bring in a Bill for quartering and billeting of Soldiers within this Province.

Then the House adjourned to Three o'Clock, *P. M.*

The House again resumed the Consideration of the Governor's Speech; and after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 23, 1756.

The House again went upon the Consideration of the Governor's Speech; and, after some Time spent therein,

Resolved, That it be recommended to the Commissioners for disposing of the *Thirty Thousand Pounds* lately granted to the King's Use, to make Provision for defraying the Expence mentioned in the said Speech as likely to accrue upon the *Indians* coming down to *Easton*.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

October 25, 1756.

The House met, pursuant to their Adjournment.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, together with sundry Papers therein referred to, which were read, and considered, and the Message is as follows:

GENTLEMEN,

'I LAY before you Accounts of some very late Murders committed on the Borders, even on the East Side of *Susquehanna*; and a Petition from the neighbouring Inhabitants, praying further Assistance for their Protection.

'I have likewise received additional Intelligence from *Shamokin*, which makes it very probable that several large Parties of *French* and *Indians* are now on their March against different Parts of the Frontiers.

'These Advices make me more and more sensible of the Necessity of a Militia Law, which I have so earnestly recommended to you, and hope to have the Pleasure of hearing you have made a considerable Progress in it.

'The *Indians* now in Town have again applied to me to be sent into the Country; be pleased therefore to come to a Determination how to dispose of them, either in the Manor of *Pennsbury*, or elsewhere.

October 25, 1756.

WILLIAM DENNY."

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 26, 1756.

The Governor's Message was again read, and considered; and, after some Time spent therein,

Ordered, That *Mr. Hughes*, *Mr. Franklin*, *Mr. James Wright* and *Mr. Allen* be a Committee to confer with the Governor concerning the most proper Manner of disposing of the *Indians* now in Town.

Ordered, That *Mr. Galloway* and *Mr. Yorke* wait upon the Governor, and acquaint him, that the House desire to know whether he has made any Estimate of the Supplies necessary to be granted at this Time, in Addition to those granted by the late Assembly, for the Defence of this Province; if not, that he would be pleased to cause the same to be made as soon as possible, and laid before the House for their Consideration.

The Gentlemen return, and report, that they had waited on the Governor, and delivered the Message of the House according to Order; and that the Governor was pleased to say, he was not at present provided with any Estimates that would be of Service to the House in their Consideration of the Supplies that are wanted; but that *Mr. Young*, the Pay-master, and an Engineer, were now on the Frontiers, and on their Return, which he expected would be in a few Days, he should receive a true State of the Condition of several Forts, and other Parts of the Frontiers, by which Means he should have it in his Power to lay before the House proper Estimates of the Supplies necessary to be raised at this Time.

The House went upon the Reading of the Militia Laws of the other Colonies; and, after a considerable Time spent therein,

The House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of that Part of the Governor's Speech which relates to a Militia Law; and, after some Time spent therein, and in reading of sundry of the Militia Laws of the neighbouring Colonies, the same was referred to farther Consideration till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 27, 1756.

A Return of the Sheriff of the County of *Bucks* was brought to the House, by which it appeared, that *John Abraham Denormandie* and *Thomas Blackledge*, were chosen on the Twenty-fifth Instant, to serve in Assembly, in the Room of *Mahlon Kirkbride* and *William Hoge*, who resigned.

The Sheriff of the County of *Bucks* having neglected to deliver or send to the House the Constables Returns, and Lists of Electors, as he is by Law directed to do, *M. Hamton*, one of the Members for said County, undertook to acquaint the Sheriff of his Neglect of Duty as aforesaid, and to cause

the said Returns, &c. to be sent to the House as soon as possible.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That *Mr. Carpenter*, *Mr. M'Connaughy* and *Mr. John Wright* have Leave to be absent the Remainder of this Week on urgent Business.

The House again resumed the Consideration of that Part of the Governor's Speech which relates to a Militia Law; and, after some Time spent in reading sundry of the Militia Laws of the neighbouring Colonies, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 28, 1756.

John Abraham Denormandie, returned a Representative for the County of *Bucks*, appearing in the House, took and subscribed the Qualification appointed by Law to be taken by the Members of Assembly, and the Oath of Abjuration, and then took his Seat in the House accordingly.

Mr. Franklin, by the Leave of the House, brought in a Bill for regulating the Forces in the Pay of this Province, which was read the first time, and ordered a second Reading.

The House again resumed the Consideration of that Part of the Governor's Speech relating to a Militia Law; and, after some Time spent therein, the same was referred to farther Consideration.

The following Remonstrance, from *William Griffiths*, of the City of *Philadelphia*, was presented to the House, and read, *viz.*

To the REPRESENTATIVES of the Freemen of the Province of *Pennsylvania*, in General-Assembly met,

The REMONSTRANCE of *William Griffiths*, one of the Commissioners by Act of Assembly appointed to dispose of the French Neutrals imported into this Province from Nova-Scotia.

SHEWETH,

THAT your Remonstrant being solely moved by the Distress those People appeared to be in upon their Arrival amongst us, to accept the Care and Trust the House was pleased to appoint him to with the other Commissioners, being early apprehensive that the due Discharge thereof would be attended with no small Trouble (to the Commissioners) and Expence to the Public, which Experience since hath abundantly verified.

That about Fifty of the Neutrals have lately had the Small-

pox (of which many died) a material Reason why the Accounts of your Remonstrant amount higher than usual; the extraordinary Expence arising from supplying the Sick with sundry Necessaries recommended by the Doctors, and from the Hire of several Nurses to attend them in that Distemper, without which Care many more of them, in all Probability, would have perished miserably; and as your Remonstrant hath great Reason to believe, that any Neglect of Duty to the Neutrals, in the Time of their Sickness, would have justly deserved the Censure of this House, your Remonstrant humbly hopes, that his and the other Commissioners Care and Conduct in that Respect, though attended with a considerable Expence, will be approved of by the Assembly.

That the Reason why so many Neutrals have remained in Town so long, hath, in a great Measure, been owing to the Overseers of the respective Townships absolutely refusing to take Charge of them; for though the Law provides a Remedy, and to compel the Overseers to their Duty, yet they having often declared, that they would not supply them with Provisions (the Consequence of which would be their returning to the Commissioners, which they often have done, for Relief) your Remonstrant was therefore discouraged from insisting on it; and particularly, as it often happens that many of the Overseers are People whose Circumstances will not allow them to be in Advance for the Provisions necessary for the several Families under their Care, whereby many of the Neutrals who were willing to work have had neither Meat or Bread to eat for many Weeks together, and were necessitated (as your Remonstrant is credibly informed) to pilfer and steal for the Support of Life.

That your Remonstrant is greatly concerned to observe a general Dislike in the Inhabitants of this Province against employing the Neutrals in their Service, by Means whereof, notwithstanding some of them refuse to work, many of them who are willing to work are unemployed, and the Load of Expence becomes heavier on the Province.

That your Remonstrant hath at present Accounts by him, which (by the Governor's particular Direction) he stands engaged for, to the Amount of *Three Hundred and Fifty Pounds*, or thereabouts, and by what he can learn, there are other Accounts to the Amount of *One Hundred and Fifty Pounds* more, not yet brought in; great Part of the first mentioned Sum is already paid; and as your Remonstrant finds the Expence encreasing daily, therefore prays the House to take the Premises into Consideration, and make such Provision for

reimbursing the Payment of the Monies aforesaid as in your Wisdom and Justice shall seem meet. Also, if the House should think fit to frame another Law respecting those Neutrals, your Remonstrant begs Leave to request that another Person may be therein nominated as Commissioner in his Stead; yet, at all Times, he will do the utmost in his Power to assist the new Commissioners in the Execution of their Office, and for your Favours be greatly obliged.

WILLIAM GRIFFITTS."

Ordered to lie on the Table.

Mr. Franklin, President of the Provincial Hospital, laid before the House an Account of the Stock, Expences, &c. of the said Hospital; which was read, and is as follows, viz.

We the Committee appointed by the Board of Managers to adjust the Accounts of the Pennsylvania HOSPITAL, for the preceding Year, do REPORT,

That on Account of the Capital Stock, the Treasurer Charles Norris, gives Credit,

For the Balance remaining in his Hands last Year, £317 3 0

And Cash paid him by the following

1755. Subscribers, viz.

May

9. Hugh Hughes,	£10 0 0
21. David George,	10 0 0

June

10. Francis Yarnall,	10 0 0
27. John Smith,	50 0 0

July

2. Concord Township (Chester County,)	10 0 0
4. William Bradford,	3 0 0
17. Israel Pemberton,	100 0 0
Ditto, for his Father's Subscription,	100 0 0
John Jones (Shoemaker)	10 0 0

August

22. William Coleman,	25 0 0
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September

6. Joseph Richardson (Silversmith)	5 0 0
25. Charles Jones,	15 0 0

October

18. James Pemberton,	25	0	0
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November

5. William Dowell,	25	0	0
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Dec.

26. John Redman,	10	0	0
Hugh Roberts,	25	0	0
Benjamin Franklin,	25	0	0

1756.

Jan.

1. William Plumsted,	25	0	0
6. Abel James,	15	0	0

Feb.

21. Thomas Bond,	25	0	0
24. John Roberts,	10	0	0
Phineas Bond,	10	0	0
25. Phillip Benezet,	15	0	0
Thomas Holland,	10	0	0

March

17. Philip Hulbert,	5	0	0
25. John Bailey,	15	0	0

April

12. Jeremiah Warder,	10	0	0
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May

1. Jacob Shoemaker,	10	0	0
George Gray,	15	0	0
Charles West, junior,	10	0	0

£633	0	0
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£950	3	0
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And that he Charges two Bonds and Mortgages,
of £500 each, which were given for Money
lent on the Building Account, and are, by
Order of the Managers, now to be applied
to this Account,

1000 0 0

So that there remains due to the Treasurer on
this Account, the Third of Fifth Month,
1756,

49 17 0

On Account of the Money granted by Law, and paid by the Contributors, for the Founding, Building and Furnishing the Hospital, the Treasurer gives Credit,

For the Balance remaining in his Hands last Year,	£150	0	0
For two Bonds and Mortgages remaining in his Hands at last Settlement,	1000	0	0
	<hr/> £1,150 0 0		

For Cash paid him by sundry
Subscribers, viz.

James Lownes,	£10	0	0
William Buckley,	10	0	0
James Coultas,	15	0	0
John Coates, junior,	15	0	0
Thomas Coates, junior,	10	0	0
Nathaniel Grubb,	10	6	0
David Chambers,	10	0	0
John Coates, senior,	10	0	0
Graydon and M'Ilvaine,	5	0	0
John Luke, of Barbados,	10	0	0
Estate of J. Crosby, a Legacy,	100	0	0
Joseph Gamble, of Barbados,	25	0	0
Joseph Jackman, of Ditto,	10	0	0
Thornbury Township, Chester County,	10	0	0
John Tinker, Esq; Governor of the Bahama Islands,	20	0	0
Benjamin Chew,	25	0	0
James Pemberton, additional Sum,	11	3	0
William Coleman, Ditto,	10	0	0
John Coates, senior, Ditto,	2	6	0
	<hr/> £318 15 0		

And for Cash which, by Order of the Managers,
he borrowed on Interest, the First of
Twelfth Month last,

200 0 0

£1,668 15 0

And he Charges, Cash paid Samuel Rhoads, as per seven Orders of the Managers, since last Settlement, towards the Building,	£1,250	0	0
So that there is a Balance in his Hands on this Account,		418	15 0
	£1,668	15	0

On Account of Interest-Money, the Treasurer Debits,

The Balance due to him on last Year's Settle- ment,	£294	1	3½
Cash paid the Matron for Expences of House- keeping,	320	0	0
Paid Administrator of John Kinsey, for House- rent, due last Year,	18	10	0
and this Year,	30	0	0
Paid William Hinton, for Interest of the Price of the Lot bought of him, to the 25th of Third Month, 1755,	4	6	0
Paid for a Book for Accounts,	0	3	0
Paid John Morgan, Apothecary, in full to this Day,	16	5	0
	£683	5	3½

And he Credits,

Cash received of sundry Persons, for Interest of the Money due on Land Securities,	£72	0	0
Ditto received of the Borrowers of the Money granted by Law,	105	0	0
Ditto received of William Allen, his annual Subscription, 1755,	12	0	0
Ditto received of sundry Subscribers, for In- terest of their Subscriptions,	115	3	7
	£304	3	7
So that there remains due to him on this Ac- count,	379	1	8½
	£683	5	3½

And on a general State of the Accounts, it appears, that

Dr. <i>The Capital Stock of the Pennsylvania HOSPITAL,</i> To 142 Bonds remaining due from sundry Sub- scribers,	£1,729	16	8
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To 21 Subscriptions, for which Bonds are not yet given,	146	10	0
To 9 Bonds, with Land Securities, in the Hands of the Treasurer, for Money lent to Persons on Interest	2,860	0	0
To Deeds in the Treasurer's Hands, for a Lot near Germantown, an Annuity of 35s. Sterling per Annum, and an Annuity of 6£ per Annum, which are valued at	174	0	0
	£4,910	6	8
		Cr.	
By 133 Subscriptions, before the Settlement of Accounts, 1752,	£2,721	16	8
By 2 Ditto, 1753,	30	0	0
By 1 Ditto, 1754,	10	0	0
By 186 Ditto, 1755,	2,028	13	0
By 7 Ditto, 1756,	70	0	0
Besides 3 annual Subscriptions, amounting to £14 10 0 per Annum,			
	£4,860	9	8
Balance, being so much more put to Interest than yet received	49	17	0
	£4,910	6	8
<i>Stock granted by Law, for founding, building and furnishing the Hospital,</i>			
Dr.			
To Expenses of Furniture, House-rent, &c., adjusted	1752,	£143	5 7½
	1753,	42	4 9½
	1754,	84	12 7
	1755,	51	4 7½
	1756,	35	7 5
		£356	15 0½
To Cash paid Parker and Hinton, for the Lot for the Site of the Hospital,	500	0	0
To Cash paid S. Rhoads, towards purchasing the Materials, and carrying on the Building,	1,450	0	0
	£2,306	15	0½
To Cash remaining due to C. W.	200	0	0
To Balance due to this Stock,	405	0	0
	£2,911	15	0½

				Cr.
By Cash of the Trustees of the Loan-Office,	£2,000	0	0	
By Interest received by the				
Treasurer, 1753,	£67	0	0	
1754,	160	0	0	
1755,	61	0	0	
1756,	105	0	0	
			£393	0 0
By Cash received of sundry Contributors, and				
Legacies left by sundry Persons,		318	15	0
By Cash borrowed on Interest, the First of				
Twelfth Month, 1755, of C. W.		200	0	0
			£2,911	15 0

Dr. <i>The Household Expenses of the Pennsylvania Hospital,</i>				
To Balance of Account settled the Fifth of				
Fifth Month, 1755,	£455	18	4	
To the Apothecary's Salary to this Day,	16	5	0	
To the Amount of Provisions, Firewood, and				
Wages to this Day,	329	14	3	
			£801	17 7
				Cr.

By Interest Money received from sundry Con-				
tributors,	£115	3	7	
By Ditto of Borrowers of the Money lent,	72	0	0	
By Donations from several Charity-boxes,	18	6	0	
By Cash received for boarding Pay Patients,	20	15	4	
By William Allen's annual Subscription,	12	0	0	
			£238	4 11
Balance expended more than we have yet re-				
ceived of the Stock to be applied to this Ac-				
count, to be made good out of the Interest				
Money, when collected,	563	12	8	
			£801	17 7

The foregoing Accounts were examined and adjusted, and the Lists of Bonds and Subscriptions compared with the Originals; likewise the Bonds and Mortgages for the Money lent out on Interest, with the Deeds relative thereto, and the Deeds for the Ground-rents and Lots granted to the Contributors of the *Pennsylvania Hospital*, were examined, and

found remaining in the Hands of the Treasurer *Charles Norris*, the Third of *Fifth Month*, 1756.

ISRAEL PEMBERTON,
JOSEPH MORRIS."

A LIST of the Patients remaining the 26th of April, 1755, and of such as have been admitted into the Pennsylvania Hospital from that Time to the 26th of April, 1756; with the Time of their Admission, Disorders, when and how discharged, and who remain, viz.

1755.

Timothy Carrol, a bad Ulcer in his Hand, with Exostosis, discharged incurable *August 16*.

Frederick Ambert, carious Bones in his Feet, cured and discharged *November 1*.

James Morrison, carious Bones in his Ankle, and an hectic Fever, died *April 28*, 1755.

James Stewart, Ulcers and carious Bones in his Leg; much relieved and discharged *June 11*.

Adam Cook, Ulcers and carious Bones; cured and discharged *May 10*.

John Iler, a putrid scorbutic Ulcer over great Part of his Leg, died *October 11*.

Patrick Hennison, Ulcers in his Legs, cured and discharged *May 24*.

Mary Boardman, lunatic, discharged incurable *February 25*.

Jane Church, lunatic, escaped *June 19*.

Patrick O Neal, a Wound in his Elbow Joint, cured and discharged *May 24*.

William Hudson, lunatic, discharged, much relieved, *September 17*.

John Norton, scorbutic Ulcers, cured and discharged *May 14*.

Benjamin Willis, an habitual Flux, and hectic Fever, died *October 5*.

Clement Rice, an Ascites, died *May 8*.

Elisabeth Ellis, lunatic, cured and discharged *May 7*.

Mary Rees, lunatic, discharged *June 11*, for want of convenient Room.

Christian Byerly, Ulcers with carious Bones, died *October 26*.

William Waters, a Dropsy, cured and discharged *June 21*.

Ann Croucher, scorbutic Ulcers, cured and discharged *May 17*.

1755

John Lee, 85 Years old, sore Legs and Asthma, died
May 28.

May

14. *Elisabeth Hopkins*, disordered in her Eyes, discharged incurable *July 26.*

William Shea, Rheumatism, cured and discharged *May 31.*

21. Negroe *Sam*, scrophulous Swellings in his Throat, considerably relieved and discharged *June 7.*
24. *John Campbell*, eating Ulcers in his Throat, discharged *June 30.*

Bryan Hughes, a large Wound in his Leg, cured and discharged *June 18.*

31. *Sarah Kirk*, a bad sore Leg, cured and discharged *July 23.*
- June*

7. *Francis Hammon*, a Flux, died *September 20.*

11. *Joseph Hickman*, an Ulcer of two Years standing, Leg with carious Bones, remains.
18. *Thomas Sparrow*, a consumptive Habit of Body, cured and discharged *July 23.*
21. *Robert Boggs*, a Dropsy of nine Months standing, cured and discharged *Aug. 2.*

July

3. *Margaret Stewart*, long under uterine Obstructions, died *July 5.*

9. *Dorothy Smith*, rheumatic Pains, cured and discharged *September 13.*

12. *William Watters*, a dropsical Disorder, cured and discharged *March 17.*

16. *Sarah Ross*, lunatic, remains.

John Davis, scorbutic Ulcers, cured and discharged *September 20.*

19. Negroe *Plato*, lunatic, cured and discharged *August 9.*

23. *William Henderson*, long wasting Fever, cured and discharged *September 3.*

26. *John Campbell*, eating Ulcers in his Throat, discharged *September 17.*

Aug.

2. *William Sherridon*, a Gutta Serena, cured and discharged *August 27.*

Jane Watts, long wasting Fever, cured and discharged *October 1.*

6. *Robert Coby*, an intermitting Fever, cured and discharged *August 27.*

13. *Joseph Grover*, a violent Inflammation of the Eyes, remains.

27. *Esther Norton*, a white Swelling in her Knee, cured and discharged *October 11*.
30. *Mary Mitchell*, terrible scorbutic Ulcers in her Face, cured and discharged *October 11*.
Patrick Hennison, scorbutic Ulcers in his Arm, cured and discharged *Nov. 12*.

Sept.

3. *Nathaniel Cope*, scorbutic Ulcer in his Leg, cured and discharged *October 4*.
6. *John Jackson*, lunatic, cured and discharged *October 13*.
10. *Richard Gilbert*, scorbutic Ulcers, cured and discharged *October 29*.
17. *Alexander Moorhead*, scorbutic Ulcer in his Leg, cured and discharged *Oct. 13*.
20. *Richard Gallop*, an inveterate Scurvy, cured and discharged *December 17*.
24. *Andrew Shaffer*, a Lunatic, cured and discharged *December 17*.
27. *John Spurring*, an Ulcer in his Liver, died *December 9*.
Thomas Watkins, scorbutic Eruptions, cured and discharged *October 29*.

Oct.

4. *Margaret Kennard*, a Flux, died *October 13*.
13. *John Grant*, rheumatic Pains, cured and discharged *November 12*.
22. *Thomas Bedford*, a Fever, with Obstructions in his Breast and Bowels, cured and discharged *December 20*.
23. *Andrew Ogleby*, an Ulcer in his Throat, cured and discharged *December 17*.
29. *John Campbell*, re-admitted, discharged *February 11*.

Nov.

1. *Jane Fielding*, a Surfeit, with Ulcerations all over, died *November 15*.
Henry Andrews, an Ulcer in his Leg, remains.
George Bonds, Obstructions in his Breast and Bowels, died *November 22*.
12. *William Shannon*, Ulcers on his Leg, cured and discharged *December 17*.
19. *Mary Grant*, Ulcers on her Leg, cured and discharged *January 13*.
22. *Edward Fitter*, an Exostosis, cured and discharged *January 10*.

Dec.

3. *Robert Porter*, Ulcers in his Legs from Guiney Worms, cured and discharged *January 17*.

Dec.

13. *Negroe Teny*, Rheumatism, cured and discharged *January 17*.

Henry Williamson, a hard Tumor on his Thigh, remains.

17. *David Rogers*, Dropsy and Consumption, discharged *February 11*.

20. *Charles Shepherd*, Ulcer in his Thigh, removed into the Country.

27. *John Osborn*, Dropsy, remains.

31. *Andrew Marshall*, Consumption, remains.

1756.

Jan.

13. *Catherine Arkinson*, Consumption, remains.

Thomas Bedford, a bad Cough, and short Breath, cured and discharged *Feb. 28*.

17. *Thomas Carty*, Ulcers in his Legs, cured and discharged *March 13*.

31. *Patrick Bourn*, an Obstruction of the Spleen, and Fever, relieved and discharged *February 18*.

Feb.

4. *Elisabeth Joline*, a scorbutic Ulcer in her Throat, cured and discharged *April 17*.

Mary Willet, judged incurable, but must perish in the Street if refused Admittance, died *February 8*.

18. *Gregory Cooke*, Ulcers in his Throat, cured and discharged *March 17*.

John M'Daniel, scorbutic Ulcers in one Arm, remains.

28. *Morris Stapleton*, Ulcers and carious Bones in a Leg and Arm, remains.

March

6. *Mary Burns*, uterine Obstructions, and scorbutic Habit, remains.

Esther Barnet, lunatic, remains.

10. *Agnus Grier*, a cancerous Tumor, &c. in her Wrist, her Arm amputated *March 11*, cured and discharged *April 17*.

20. *Hugh Moor*, an Abscess in his Ear, and scorbutic Habit, cured and discharged *April 21*.

31. *David Howell*, a Gunshot Wound, and fractured Bone in one Arm, the Sixth Instant, by the *Indians*, remains.

April

7. *Ann Vanavinkle*, scorbutic Ulcers all over her Body, remains.

10. *William Herring*, scorbutic Ulcers, remains.

17. *William Keith*, a Wound in his Leg, remains.

Apr.

21. *Patrick Hennison*, scorbutic Ulcers in his Arm, remains.
David Rogers, a Dropsy, remains.

In all Eighty-eight Patients, of which Forty-five have been cured and discharged, Six relieved, One left the House without Leave, Five incurable, Thirteen died, and Eighteen remain.

Memorandum. *John Campbell* being taken in three times, is reckoned but one Patient.

JOHN SMITH.

Ordered, That *Mr. Baynton*, *Mr. Masters*, *Mr. Denormandie*, *Mr. Gibbons*, *Mr. James Wright*, *Mr. Allen* and *Mr. Yorke* be a Committee to visit the Hospital, and report the State thereof to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to confer with the Governor concerning the Placing of the *Indians* now in Town, report that they had done the same accordingly; and that the Governor was pleased to say that the *Indians* might be permitted, for the present, to have the Use of any Part of the Manor of *Pennsbury* that should be thought necessary for their Support and Maintenance; and if the House would appoint a Person to view and lay out such Place for the said *Indians*, he would direct the Secretary and *Mr. Hockley* to go up with such Person for that Purpose.

A Return of the Sheriff of the County of *Chester* was brought to the House, by which it appeared that *Isaac Wayne* and *Ralph Pyle* were chosen Representatives to serve in Assembly for the said County.

The House resumed the Consideration of that Part of the Governor's Speech which relates to a Militia Law; and, after having gone through the Reading of the several Militia Laws of the neighbouring Colonies, and also those of *Great-Britain*;

Ordered, That *Mr. Galloway*, *Mr. Franklin*, *Mr. Melvin*, *Mr. Morton*, *Mr. Douglas*, *Mr. Allen* and *Mr. Yorke* be a Committee to prepare and bring in a Bill for forming and regulating a Militia in this Province.

A Motion was made by *Mr. Roberdeau*, one of the Wardens of the City of *Philadelphia*, that as some Doubts had arisen among the said Wardens and Inhabitants, concerning the Meaning of that Part of the Law for regulating and continuing the Nightly Watch, &c. which relates to the Pumps in the Streets of the said City, whereby the same had not as yet been executed, the House would be pleased to take the said Law into Consideration, and either alter, explain or amend the same. as they should judge necessary. *Referred to farther Consideration.*

Then the House adjourned, to Ten o'Clock To-morrow Morning.

October 29, 1756.

The Militia Bill lately published in *Maryland* was read, and referred to the Consideration of the Committee appointed to prepare a Bill for regulating the Militia of this Province.

Ordered, That it be recommended to the Commissioners for disposing of the *Thirty Thousand Pounds* to the King's Use, to continue the Support of the Neutral *French*, now in this Province, till some further Provision can be made for that Purpose.

Ordered, That Mr. *Ashbridge* and Mr. *Grubb* wait upon the Governor, and acquaint him, that the House have recommended it to the Commissioners for disposing of the *Thirty Thousand Pounds* granted to the King's Use, to make Provision for the Expence mentioned in the Governor's Speech, as likely to accrue upon the *Indians* coming down to *Easton*.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait on the Governor return, and report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say he was glad the House had made Provision for the Expences likely to accrue upon the *Indians* coming down to *Easton*.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, with a Letter therein referred to, which were read, and the Message is as follows, *viz.*

GENTLEMEN,

'I HAVE this Morning received a Letter, giving an Account, that the *Indian* Chief, *Teedyuscung*, with a Number of *Indians*, was met on their Way to *Easton*; and that One Hundred of those who set out with him are waiting in the Woods, beyond *Fort Allen*, to know what Reception will be given to their Chief.

'As Lord *Loudoun*, after being made acquainted with the former Treaty held at *Easton*, has been pleased to signify to me, in his Majesty's Name, in a Letter already laid before you, that neither the Governor nor Government of this Province should confer or treat with the *Indians*, but that they should be referred to Sir *William Johnson*, who, his Lordship says, has the sole Management of *Indian* Affairs, committed to him by special Commission from his Majesty, I find myself under very great Difficulties.

'And as I am under a Necessity, by these Advices, to come immediately to a Resolution, I desire you will give me your Advice in what Manner to conduct myself on Behalf of this

Government, whose Security and nearest Interests, as well as those of the other Colonies, will be deeply affected by the Measures now taken.

'Mr. *Weiser* is waiting for Orders to set out for *Easton*, who cannot be dispatched till I have the Opinion of the House.

October 29, 1756.

WILLIAM DENNY."

A Message from the Governor by Mr. Secretary:

"SIR,

"The *French* Neutrals have represented to the Governor, that they are in a most starving Condition, and pray Relief; he therefore recommends their unfortunate Case to the Consideration of the House."

The Governor's Message being again read and considered,

Ordered, That Mr. *Hughes*, Mr. *Franklin*, Mr. *Smith* and Mr. *Ashbridge* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned for Half an Hour.

The House met, &c.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, reported the same to the House, and it being read, was agreed to, with some Alterations, and ordered, to be transcribed, that it may be sent up to the Governor; which being accordingly done, it was again read, and is as follows, *viz.*

May it please your HONOUR,

WE have considered your Honour's Message of this Day, with Lord *Loudoun's* Letter, laid before us at the Beginning of the Session. And since you are pleased to ask our Opinion and Advice on this important Occasion, we shall give it with all dutiful Freedom and Sincerity.

We are truly thankful to our gracious Sovereign for the late wise Regulation of putting *Indian* Affairs, especially those that relate to War or Peace with them, under a more general Direction than they have heretofore been, as we think the *British* Interest will now have more Weight with the *Indians*, than if separate Treaties of Peace might be made by separate Colonies for themselves, without consulting the Interest or Safety of their Neighbours. We cannot therefore desire, however burdensome the present War with the *Indians* may be to this Province, that such a separate Treaty should be concluded on our Behalf. We are, however, of Opinion, that the Treaty begun by the late Governor (before Sir *William Johnson's* Powers were made known) in Pur-

suance of which the *Indians* are now come down, should not be wholly discontinued on our Part, lest the *Indians* be disgusted, and the Opportunity of bringing them to a general Peace with all the *British* Colonies be lost. We rather think it advisable, that your Honour would give them an Interview, make them the customary Presents, in Behalf of this Government, to relieve their Necessities, and assure them of our sincere Inclination to take them again into Friendship, forgive their Offences, and make a firm Peace with them; but at the same Time to let them know, that the Government of this Province cannot agree to make a Peace with them for itself, and leave them at Liberty to continue the War with our Brethren of the neighbouring Colonies: That we are all Subjects of one great King, and must, for the future, be all at Peace or all at War with other Nations at the same Time: That our King has appointed Sir *William Johnson* to manage these general Treaties for all the Governments in this Part of *America*, and to him we must therefore refer the *Indians* for a final Conclusion and Ratification of this Treaty;—promising also to write to him, acquainting him with the good Dispositions the *Indians* have shown at these Conferences, and recommend it to him to make the Agreement firm and lasting for all Parties. An Interview of this Kind with the *Indians*, we apprehend, may at this Time be greatly for his Majesty's Service, and for the Advantage not only of this, but of all the neighbouring Colonies, and not inconsistent with the Intention of Lord *Loudoun's* Letter: Which we nevertheless submit to your Honour's prudent Consideration.

And the Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 30, 1756.

A Return of the Sheriff of the County of *Northampton* was brought to the House, and read, by which it appeared, that *William Plumsted* was chosen a Representative to serve in Assembly for the said County.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, report, that they had delivered the same according to Order; and that the Governor was pleased to say that the said Message was extremely agreeable to him.

A Petition from *John Jones*, *Samuel Mechlin* and *Daniel*

Brown, Freeholders and Inhabitants of the County of *Northampton*, in Behalf of themselves and divers of the Freeholders and Inhabitants of the said County, was presented to the House and read, setting forth, that an Election was held at *Easton*, in the County of *Northampton* aforesaid, on *Monday*, the Twenty-fifth Day of this instant *October*, for choosing a Representative to serve in General Assembly for the said County, at which Election the Petitioners apprehend that *William Plumsted*, who was returned as Representative by the Sheriff, was illegally chosen, for the following Reasons, viz. 1st, *Matthias Riggle*, one of the Inspectors, notwithstanding his Qualification, destroyed several of the Tickets which were in Favour of *William Edmonds*, and delivered to the said *Riggle*. 2d, That one Person was seen to deliver Tickets repeatedly to the Inspectors. 3d, A great Number of the Tickets were folded up together, some one in another, and some two in one, which appeared to be received by the Inspectors as one Ticket, a Number of which were allowed and approved of by the Sheriff: The Petitioners, therefore, and as they conceive the said Election is contrary to an Act of General Assembly of this Province, and an Infringement of their Rights and Liberties, pray that this House will take the Premises into Consideration, and grant them such Relief as shall seem meet.

Ordered to lie on the Table.

The House being informed that two of the Petitioners and the Sheriff of the County of *Northampton* were attending without, they were called in, and having answered such Questions concerning the late Election in said County as were put to them by the House, they were directed to withdraw.

Ordered, That the present Sheriff of the County of *Northampton* do, as soon as may be, make a Return to this House of the List of Taxables, Constables Returns, and Names of Voters, as required by Law; and that the Clerk do write to the former Sheriff of said County, to send down the said Lists for the Election held on the First Day of *October* last.

Resolved, That next *Tuesday* Se'nnight be appointed to hear the Merits of the Petition from *Northampton* County; and that the Petitioners and Sheriff do attend at that Time, with their respective Evidences.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

November 1, 1756.

The House met, pursuant to their Adjournment.

The Minutes of the present Sitting of Assembly, to this Time, were read, by Order of the House, and

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 2, 1756.

The House met, and adjourned to Three o'Clock, P. M.

The Constables Returns, and List of Voters, at the last Election for the County of *Bucks*, were brought to the House, and ordered to lie on the Table for the Perusal of the Members.

Mr. *Wayne*, returned a Representative for the County of *Chester*, took and subscribed the Qualification appointed by Law, and the Oath of Abjuration; and then took his Seat in the House accordingly.

The Bill for regulating the Officers and Soldiers in the Pay of this Province, was read the second time; and, after some Debate thereon, was referred to farther Consideration till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 3, 1756.

The House resumed the Consideration of the Bill for regulating the Soldiers in the Pay of this Province; and, after some Time spent therein, the same was ordered to be transcribed for a third Reading.

A Motion was made, that the House should now come to some Determination concerning the Admission of *William Plumsted* (returned by the Sheriff of the County of *Northampton* as Representative for the said County) to take his Seat in the House; but sundry Objections arising concerning the Legality of the said Return, a Debate ensued thereupon; and, after a considerable Time spent therein, the same was referred to farther Consideration.

A Message from the Governor, by Mr. Secretary:

SIR,

"The Governor informs the House, that he proposes, if the Weather will permit, to go To-morrow to *Easton*, and would be pleased with the Company of any of the Members that the House shall think proper to appoint to attend the *Indian* Conferences."

A Message from the Governor by Mr. Secretary:

SIR,

"The Governor lays before the House a Letter from the Secretary of State, signifying the King's Pleasure, that in Case any of his Commanders at Sea should have Occasion to apply to this Government to set on Shore any *French* Prisoners, he should receive them, and treat them as heretofore in the late *French* War.

"At the same Time he informs the House, that there are in the Goal of this City two *French* Deserters, who have lain there these nine Months, and one *French* Prisoner in *Lancaster* Goal, and that there is no Provision made for either their Clothing, Diet or Removal."

The Letter referred to in the foregoing Message was read, and is as follows, *viz.*

Whitehall, June 18, 1756.

S I R,

I AM commanded to signify to you the King's Pleasure, that in Case any of the Commanders of his Majesty's Ships shall have Occasion to apply to you to set on Shore, in the Province under your Government, any *French* Prisoners, you should receive and treat them in the same Manner as was practised during the last War, or in such other Manner as you shall think most conducive to his Majesty's Service. I am, *Sir,*

*To the Deputy Governor
of Pennsylvania.*

*Your most obedient humble Servant,
H. Fox."*

Resolved, That it be recommended to the Commissioners for disposing of the *Thirty Thousand Pounds*, granted to the King's Use, to make Provision for the Cloathing, Diet, or Removal of such *French* Prisoners as now are, or hereafter may be, brought to this Province, in such Manner as the Governor, with the said Commissioners, shall judge suitable and necessary.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill, entituled, *An Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Gibbons* and Mr. *West* do carry up the same to the Governor for his Concurrence; and desire to know whether he has the Estimates of the Supplies necessary to be granted at this Time ready, and if so, that he would be pleased to communicate the same to the House; and further, that the said Members deliver the following Message to the Governor, *viz.*

May it please your Honour,

THE Representatives of the Province of *Pennsylvania*,

in Assembly met, request your Honour would be pleased to grant a Commission to *Samuel Kirk*, to be Serjeant at Arms, and King's Messenger, at all Times to attend the Service of this House, with Power to execute all Precepts, Warrants and Messages whatsoever, which shall be issued by their Order, as has been formerly the Usage within this Province.

Signed, by Order of the House,
ISAAC NORRIS, *Speaker.*"

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 4, 1756.

The Gentlemen appointed to wait upon the Governor with the Bill for regulating the Provincial Forces, and the Messages of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would take the said Bill into his Consideration, and give it all the Dispatch in his Power; that he had not as yet compleated an Estimate of the Supplies necessary for the present Year, owing to his being much engaged in public Business; and that as to the Message requesting a Commission for the Serjeant at Arms, he would take it into Consideration, and give an Answer to the House.

The House resumed the Consideration of the Motion concerning the Clauses in the Law for regulating and continuing the Nightly Watch, &c. which relate to the Pumps in the Streets of *Philadelphia*; and, after some Time spent therein,

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Baynton* and Mr. *Masters*, be a Committee to prepare and bring in a Bill for explaining and amending the said Act, so far as relates to the Pumps in the Streets of the City of *Philadelphia*.

The Governor, by Mr. Secretary, sent down to the House the Bill for regulating the Provincial Forces, with a Message, that he was ready to pass the same into a Law whenever it should be presented to him for that Purpose; but he recommended it to the House to consider whether it would not be proper to lessen the Number of Officers required by the Bill to constitute a Court-martial, as it would be sometimes difficult to get such a Number together, and Trials thereby be too long postponed.

And the House taking the same into Consideration, were of Opinion, that as the Law was not to be in Force longer than till the Twenty-fifth of *March* next; it was not necessary to make the proposed Alteration at present, especially as it would take some Time, and the Governor was now waiting

in the Council Chamber to give his Assent to the Bill, being to set out for *Easton* To-morrow.

Ordered, That the said Bill be engrossed.—And the same being done accordingly, was read, and compared at the Table.

Ordered, That Mr. *Leech* and Mr. *Franklin* do meet such of the Council as the Governor shall appoint, in order to compare the engrossed Bill with the Original; and that they acquaint his Honour with the Reasons why the House adhered to the Bill as it now stands.

The Gentlemen return, and report, that they had, with a Member of Council, compared the engrossed Bill with the Original, and found them to agree; and that they had acquainted the Governor with the Reasons why the House adhered to the Bill as it now stands; who was pleased to say, he was ready to receive the House, in order to pass the same into a Law.

Ordered, That two of the Members see the Great Seal affixed to said Law, after it is passed, and the same deposited in the Rolls Office.

Then Mr. Speaker, with the whole House, waited upon the Governor; and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province*, to which his Honour was pleased to give his Assent, by enacting the same into a Law. And Mr. Speaker further reported, that the Governor said, he had directed a Commission to be made out for the Serjeant at Arms in the usual Manner.

Resolved, That this House will this Day adjourn to *Monday*, the 22d Instant.

Then the House adjourned to Three o'Clock, P. M.

The Gentlemen appointed to see the Great Seal affixed to the Law after it was passed, reported, that the same was done, and deposited in the Rolls Office.

Ordered, That Mr. *Baynton*, Mr. *Masters*, Mr. *Smith*, Mr. *Hunt*, Mr. *James Wright*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of a Bill for providing for the Maintenance of the *French* Neutrals now in this Province, and such of our Back Inhabitants as are driven from their Habitations, and not capable of getting their Livelihood.

Ordered, That Mr. Speaker, Mr. *Fox*, Mr. *Hughes*, Mr. *Franklin* and Mr. *Masters* be a Committee to accompany the Governor to the proposed Conference with the *Indians* now at *Easton*.

Ordered, That Mr. *Owen* and Mr. *Walker* wait upon the Governor, and acquaint him therewith, and with the proposed Time of Adjournment; and desire to know if his Honour hath any Objection thereto.

Resolved, That the Hearing of the Merits of the Petition from *Northampton* County, relating to an undue Election; be deferred till *Tuesday*, the Twenty-third Instant; and that the Clerk do send Notice thereof to the Petitioners, and to the Sheriff of the said County.

The Gentlemen return, and report, that they had delivered the Message of the House, according to Order; and that the Governor was pleased to say, that the Gentlemen appointed to accompany him to *Easton* were extremely agreeable to him; and that he had not the least Objection to the proposed Time of Adjournment.

Then the House adjourned to *Monday* the Twenty-second Instant.

November 22, 1756.

THE House met, pursuant to their Adjournment.

Ordered, That Mr. *Galloway* and Mr. *Yorke* wait upon the Governor, and acquaint him, that the House are met, and ready to receive any Thing he may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 23, 1756.

The Gentlemen appointed to wait on the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say he should have something to communicate to the House concerning the Supplies for the current Year, which his being obliged to go out of Town had prevented his getting ready sooner.

Thomas Blackledge, *Ralph Pyle*, and *James Webb*, returned Representatives to serve in Assembly, appearing in the House, took and subscribed the Qualification appointed by Law to be taken by Members of Assembly, and the Abjuration; and then took their Seats in the House accordingly.

Three Petitions (*viz.* from *William Bell*, *James Pugh* and *Edward Hughes*, living in *Chester* County) complaining of sundry arbitrary and illegal Practices of *William Moore*, Esq; a Justice of the Peace in said County, were presented to the House and read, and

Ordered to lie on the Table.

The Sheriff of the County of *Northampton* attending without, was called in, and he laid before the House the List of Taxables, Constables Returns, &c. made Use of at the last

Election of a Representative for the said County, and then withdrew.

Ordered, That the Committee of Grievances be a Committee of Elections for the ensuing Year, who are to meet at any Time they shall think proper, when the House is not sitting; and that they give Notice of the Times of their Meeting, that any of the other Members may also attend if they think fit; and all that attend are to have Voices.

Ordered, That all the Papers laid before the House, relating to the late Election in *Northampton* County, be referred to the said Committee; and that they examine the same, and such Persons as they shall think proper, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion made,

Ordered, That Mr. *Galloway* and Mr. *Franklin* do prepare a Draught of a Message to the Governor, desiring he would be pleased to lay before the House such of the Proprietary Instructions to him as relate to Matters of Legislation; also a Copy of the late Conference with the *Indians* at *Easton*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 24, 1756.

The Committee appointed to prepare a Draught of a Message to the Governor, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by the Secretary, sent down a written Message to the House, with sundry Papers referred to therein, which were read, and the Message is as follows, *viz.*

GENTLEMEN,

'I COMMUNICATE to you a Letter from Lord *Loudoun*, demanding Quarters for a Battalion of *Royal Americans*, and two Independant Companies, and I desire you will enable me forthwith to provide them; a Quarter-Master being every Day expected, to regulate that Service.

'I now lay before you an Estimate for the Expences of the current Year, my late Journey and Business at *Easton* having prevented me from doing it so soon as I could have wished.

'The Letter herewith sent I received by Express from Governor *Sharpe*, inclosing the Examination of one *William Johnson*, whose Intelligence is of such Consequence to this Country as well deserves your Attention.

November 24, 1756.

WILLIAM DENNY."

The Papers sent down with the foregoing Message were severally read, and the Letter from Lord *Loudoun*, and the Governor's Estimates of the Expences for the current Year, were ordered to be entered on the Minutes; and they accordingly are as follow, *viz.*

SIR,

Fort Edward, October 28, 1756.

I HAVE had a great many Things, which I wanted to have writ to you fully about; but from the Situation in which I found Things on my Arrival here, I have been kept in such a continual Hurry, as to put it entirely out of my Power; and I am afraid a great Part of them must now lie over, till I have the Pleasure of seeing you at *Philadelphia*, where I propose to be as soon as I can.

As the Season must now bring the Campaign soon to an End, it is necessary for me now to look out for Winter Quarters for the Troops; in which I must consult the compleating the Troops during the Winter, and having them in a Situation fit for assembling in the Spring, to take the Field; for which Purpose I find it will be necessary to have in *Philadelphia* one Battalion of the *Royal Americans*, and three Companies in the Lower Counties; and I believe I shall be obliged likewise to put into your Province, in order to recruit them, two Independant Companies.

The three Companies I propose for the Lower Counties, are Part of a Battalion that goes into *Maryland*, and as they lie near one another, I imagine we may get that Battalion pretty contiguous, as I cannot agree to less than a Company being together; in the Beginning those Companies will be small, but I hope by *Christmas* to see them well increased.

As the Order for Quarters has been so often signified from his Majesty to every Government on the Continent, by his Secretaries of State, Lord *Holderness*, Sir *Thomas Robinson* and Mr. *Fox*, I must think it unnecessary for me to add any Thing further on this Subject, especially as I am writing to you, who is so thoroughly acquainted with the Quartering in *England* in Time of Peace, and what Things are furnished in Quarters for the Officers and Soldiers; and likewise as you are fully acquainted with how much further Quartering extends in Time of War, and even must do so, from the Nature of Things.

I must beg the Favour of you to give Directions to have Quarters ready against the Troops arrive, which shall be as soon as I can finish the Campaign, which the Nature of the Season must soon put a Close to.

I beg Leave to assure you, and the Province, that whatever Protection I can give to your People, from the incursions of their turbulent Neighbours, I will do it to the utmost of my Power. I am, with great Regard,

Sir, your most obedient humble Servant,

LOUDOUN."

An ESTIMATE of what three Battalions Pennsylvania will cost per Annum, each Battalion to consist of seven Companies of Foot, and one of Horse, viz.

First Battalion.

1 Lieutenant-Colonel, at <i>Seventeen Shillings per Day</i> , — — — — —	£	310	5	0
1 Major, at <i>Fifteen Shillings per Ditto</i> , — —		273	15	0
5 Captains of Foot, at <i>Ten Shillings per Ditto</i> , — — — — —		912	10	0
7 Lieutenants, at <i>Five Shillings and Six-pence per Ditto</i> , — — — — —		702	12	6
7 Ensigns, at <i>Four Shillings per Ditto</i> , — —		511	0	0
1 Adjutant, at <i>Four Shillings per Ditto</i> , — —		73	0	0
1 Surgeon, at <i>Six Shillings per Ditto</i> — — —		109	10	0
1 Surgeon's Mate, at <i>Three Shillings per Ditto</i> , — — — — —		54	15	0
14 Serjeants, at <i>Two Shillings per Ditto</i> , — —		511	0	0
14 Corporals, at <i>One Shilling and Nine-pence per Ditto</i> , — — — — —		448	2	6
7 Drummers, at <i>One Shilling and Nine-pence per Ditto</i> , — — — — —		224	1	9
350 Private Soldiers, at <i>One Shilling and Six-pence per Ditto</i> , — — — — —		9,581	5	0

Troop of Horse.

1 Captain, at <i>Ten Shillings per Day</i> , — — —		182	10	0
1 Lieutenant, at <i>Five Shillings and Six-pence per Ditto</i> , — — — — —		100	7	6
1 Ensign, at <i>Four Shillings per Ditto</i> , — —		73	0	0
2 Serjeants, at <i>Two Shillings per Ditto</i> , — —		73	0	0
2 Corporals, at <i>One Shilling and Nine-pence per Ditto</i> , — — — — —		63	17	6
1 Drummer, at <i>One Shilling and Nine-pence per Ditto</i> , — — — — —		31	18	9
1 Farrier, at <i>One Shilling per Ditto</i> , — —		18	5	0

50 Private Men, at <i>One Shilling and Six-pence</i>		
<i>per Ditto</i> , — — — — —		1,368 15 0
<hr/>		
468	Pay of the first Battalion, — — —	£ 15,623 10 6
3	Second Battalion, — — — — —	15,623 10 6
1404 Men	Third Battalion, — — — — —	15,623 10 6
One Commissary of the Musters and Paymaster,		
at <i>Fifteen Shillings per Day</i> , — — — — —		273 15 0
His Travelling Expences, about — — — — —		200 0 0
One military Secretary, <i>per Annum</i> , — — —		100 0 0
Subsistence of 1404 Men, at <i>Five Shillings per</i>		
<i>Week each Man</i> , — — — — —		17,901 0 0
First Cost of 177 Horses, at about <i>Sixteen</i>		
<i>Pounds each</i> , — — — — —		2,832 0 0
Subsistence of 177 Horses, at <i>One Shilling per</i>		
<i>Day each</i> , — — — — —		3,230 5 0
177 Saddles, with Holsters, Saddlebags, &c. at		
<i>Three Pounds Five Shillings each</i> , — — — — —		575 5 0
177 Pair of Pistols, at <i>Thirty-five Shillings a</i>		
<i>Pair</i> , — — — — —		309 15 0
177 Sabres, at <i>Twenty Shillings each</i> , — — —		177 0 0
		<hr/>
Errors excepted,		£ 72,469 11 6

By his Honour's Command,

November 24, 1756.

RICHARD PETERS, *Secretary.*

CALCULATIONS per Annum.

Garrison at Wicaco to Consist of

2 Serjeants, at <i>Two Shillings per Day</i> , —	}	£ 1,205 16 3
2 Corporals, at <i>One Shilling and Nine-</i>		
<i>pence per Ditto</i> , — — — — —		
1 Drum, at <i>One Shilling and Nine-pence</i>		
<i>per Ditto</i> , — — — — —		
36 Private Men, at <i>One Shilling and Six-</i>	}	
<i>pence per Ditto</i> , — — — — —		

41 Mens Subsistence, at <i>Five Shillings per</i>	
<i>Week</i> , — — — — —	535 10 3

A Vessel of War, with 20 Carriage Guns of 9 or 12 Pound each, and 10 Swivels, supposed to cost, when fit for Sea, — — — — —	}	10,000 0 0
One Hundred and Thirty-seven Mens Provi- sions, at <i>Six-pence per Day</i> each, for eight Months, — — — — —		

One Hundred and Twenty private Men, at <i>Three Pounds Five Shillings per Month</i> , for eight Months, — — — — —	} 3,120 0 0
Seventeen Officers, eight Months, about — —	758 0 0

Errors excepted, £ 16,541 6 6

By his Honour's Command,

November 24.

RICHARD PETERS, *Secretary.*

1756.

ESTIMATE of the current Year's EXPENCE for the Province of Pennsylvania.

I. Three Battalions, on the Frontiers, of seven Companies of Foot, and one of Horse each, as per Calculation, — — — — —	} £ 72,469 11 6
II. An occasional Garrison at <i>Wicaco</i> , when the King's Troops are absent,, as <i>per</i> Calculation, — — — — —	} 1,741 6 6
III. A Fort at <i>Mudd-Island</i> , about — — — — —	8,000 0 0
IV. A Vessel of War, to protect the Trade, about — — — — —	} 10,000 0 0
V. Pay and Provisions for 137 Men, Officers included, on board the Vessel for eight Months, as <i>per</i> Calculation, — — — — —	} 4,800 0 0
VI. Arms, Accoutrement and Ammunition for the Militia, to be lodged in a convenient Arsenal, — — — — —	} 10,000 0 0
VII. Barracks for his Majesty's Forces that may be quartered here, — — — — —	10,000 0 0
VIII. An Engineer to be taken into regular Pay for the Service of the Province, at <i>Fifteen Shillings per Day</i> , — — — — —	} 273 15 0
IX. Contingencies, — — — — —	10,000 0 0

Errors excepted, £127,284 13 0

By His Honour's Command,

November 24.

RICHARD PETERS, *Secretary.*

1756.

The Serjeant at Arms laid before the House the Commission he had received from the Governor, which was read; and the Clerk was ordered to take a Copy thereof, to be deposited among the Papers belonging to this House.

Three Petitions (*viz.* from *John Boggs, Adam Ramsover* and *Morris Evans*, of *Chester County*) complaining of sundry unjust and oppressive Proceedings of *William Moore, Esq;* one of the Justices of said County, and praying Redress, were presented to the House, and read, and

Ordered to lie on the Table.

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please your HONOUR,

YOU were pleased by your Message at the Beginning of this Session to represent to us the Expediency of framing sundry Laws that are necessary for the Defence and Utility of the Province; and we think many others, not recommended to us by your Honour, may likewise be for the Benefit of the People, which we are determined at this Time to take into our serious Consideration, and pay that Regard and Attention to them that their Importance deserves: But as many Bills, prepared at a burthensome Expence to the Public by antecedent Assemblies for the Defence of the Province, in Compliance with his Majesty's Orders, and other salutary Purposes, after much Time, and great Pains had been spent in framing them, have been rejected by your Honour's Predecessors, because not consistent with certain Instructions that they had received from the Proprietaries, as directory to them in Matters of Legislation; which Instructions, notwithstanding, were unreasonably concealed from the Representatives of the People; we are, in Justice to ourselves, and in Duty to those we represent, obliged humbly to request that your Honour would be pleased to lay before us full Copies of all such of your Instructions that are of a public Nature, and in anywise relate to Matters of Legislation, that we may, as we are sincerely inclined, avoid all unnecessary Delays at this critical Juncture, in Matters of real Importance, and yield a chearful Obedience to his Majesty's most gracious Orders for our Defence.

When we reflect on a late Instance of your Honour's Candour on the like Occasion, and the evident Proof you gave a former Assembly of a sincere Inclination to facilitate and expedite Matters, in which the public Welfare was concerned, we have no Room to doubt your Honour will favour us in complying with this reasonable and necessary Request.

We also further request, that your Honour would be pleased to lay before us the Minutes taken at the last Conference held at *Easton* with *Teedyuscung* and other *Indian* Chiefs,

that the Representatives of the People may be acquainted with Matters which so intimately relate to the public Weal and the Peace of the Province."

And the Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor, and deliver the same.

A Bill, empowering the Overseers of the Poor to provide for the Maintenance of the *French* Neutrals, and such of the Back Inhabitants as are not able to get their own Livelihood, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

A Supplementary Bill to the Watch and Lamp Act was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 25, 1756.

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, after reading the Message, that he would cause a Copy of the Minutes of the *Indian* Conference, lately held at *Easton*, to be laid before the House as soon as it could be transcribed; but that as to communicating the Proprietary Instructions, he would take some Time to consider of it: That he was determined to act an open and candid Part with the House, and between the Proprietaries and People; and that every Thing that could be reasonably expected from him he would comply with, and was persuaded the House would not desire any Thing more.

Three Petitions (*viz.* from *Patrick Archbold*, *Peter Mather* and *Thomas Roberts*, of the County of *Chester*) representing sundry Grievances they have sustained by Means of the arbitrary Proceedings of *William Moore*, Esq; a Justice of the Peace in said County, and praying Redress, was presented to the House and read, and *Ordered to lie on the Table.*

The Bill to prevent the Exportation of Provisions, naval and warlike Stores to the *French*, was read the second time, and debated; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for preventing the Exportation of Provisions, naval and warlike

Stores to the *French*; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 26, 1756.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, with a Copy of the Proprietaries Fourteenth Instruction to the Governor, which were read, and are as follow, *viz.*

GENTLEMEN,

'IN Compliance with your late Message, I send you the only one of the Proprietary Instructions, of a public Nature, in anywise relating to Matters of Legislation, which have not been already laid before you.

'I am as sincerely disposed as you to avoid Delays; and will most readily give my Assent to such Bills, when laid before me, as shall be thought for the Good of his Majesty's Service, and the Defence of this Country.

'The Conferences at *Easton* are copying, and shall be sent you as soon as they are finished.

November 26.

WILLIAM DENNY."

COPY of the Fourteenth Proprietary Instruction.

WHEREAS we conceive that a regular Militia is absolutely necessary for the Defence of the Inhabitants of our said Province and Counties, in Time of War, and the only permanent Defence which the Inhabitants of the said Province and Counties are capable of supporting, you are to take the first favourable Opportunity to settle a regular and useful Militia within both your Governments; and also to establish a Fort or Battery on some Part of the River *Delaware*, for the Defence of the City of *Philadelphia*, or in any other Part of the said Province or Counties, where it may be thought necessary, for the Security thereof; or to take any other Measures you shall judge necessary for the Defence of the said Province and Counties, so soon as ever you shall find the Houses of Representatives disposed to pass the Laws, and make the Provisions necessary for these Purposes: And in the mean Time, in Case any Exigency shall arise, you are, for the Good and Safety of the said Province and Counties, to train any Number of Men, who shall be willing to unite for the Defence of the Country, to be used and exercised pursuant to the Intention and true Meaning of the Royal Charter granted to our late Father, deceased, and to appoint

Officers for them, who are to receive your Orders, and to be accountable to you, as Commander in Chief: But forasmuch as many of the Inhabitants, within the said Province and Counties, scruple to bear Arms, you are to use your utmost Endeavours that they may be admitted to furnish other Persons in their Stead, or some other Equivalent in Lieu of their own personal Service.

A true Copy, examined with the Original, by

November 26.

RICHARD PETERS, *Secretary.*"

1756.

Three Petitions (*viz.* from *Christian Aberhold, Michael Cypher* and *Conrad Rough*, of the County of *Chester*) complaining of the arbitrary and illegal Conduct of *William Moore*, Esq; of said County, and praying Redress, were presented to the House, and read, and

Ordered to lie on the Table.

The House resumed the Consideration of the Bill for prohibiting the Exportation of Provisions, &c. to the *French*; and, after some Time spent therein,

Ordered, That the said Bill be committed to the Committee who brought it in, for Amendment; and that they add a Clause thereto for laying a temporary Prohibition on the Exportation of Provisions, naval and warlike Stores, to all Places in *America*, not subject to the Crown of *Great-Britain*, to take Place immediately after the Passing of the Act; and providing, that in Case the other Colonies should come into the same Measure, the said Prohibition may be continued for a longer Time, otherwise that the same be discontinued.

Ordered, That the Clerk do call upon Mr. Secretary for the last Act of Parliament relating to Mutiny and Desertion, &c. which the Governor had been pleased to say he would send to the House, the Committee appointed to prepare a Bill for quartering and billeting of Soldiers not having been able to complete the same for want of the said Act.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for the Maintenance of the *French* Neutrals, &c. was again read, and considered; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 27, 1756.

Three Petitions (*viz.* from *John Francis, Jacob Grove* and *Dennis O'Neal*, of the County of *Chester*) against *William*

Moore, Esq; of the said County, complaining of sundry unjust and illegal Proceedings, were presented to the House, and read, and *Ordered to lie on the Table.*

The Supplementary Bill to the Act for regulating and continuing the Nightly Watch, &c. was read the second time; and, after some Time spent therein, it was committed to the Committee who brought it in, for Amendment.

Ordered, That *Mr. Galloway*, *Mr. Walker*, *Mr. Gibbons*, *Mr. Ashbridge*, *Mr. Wayne* and *Mr. Pyle*, have Leave to be absent the Week ensuing, on urgent Business.

Then the House adjourned to next *Tuesday*, at Three o'Clock in the Afternoon.

November 30, 1756.

The House met, pursuant to their Adjournment.

The Governor, by *Mr. Secretary*, sent down to the House the Minutes of the Conferences lately held with the *Indians* at *Easton*.

A Petition from *William Plumsted*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that at an Election held at *Easton*, in the County of *Northampton*, on the Twenty-fifth of *October* last past, the Petitioner was elected by the Freemen of the said County, to represent them in Assembly for this present Year, by a Majority of near two to one, and regularly returned to the House by the Sheriff of the said County, according to the Laws of this Province in such Case made and provided; that the Petitioner, agreeable to his Duty, appeared soon afterwards in this House to take his Seat, in Consequence of the said Election, and was ready to take the Qualifications required by Law for that Purpose, but was informed by the House, that a Petition from three (only) of the Inhabitants of the said County had been exhibited, complaining, that the said Election was unfair and illegal; wherefore the Petitioner understands it was the Sense of this House, that the Petitioner should not be admitted to sit till the said Complaint should be heard and determined; he therefore submits to the House, whether it is agreeable to the constant Usage of Parliament, and Practice of former Assemblies of this Province, by which a Member returned is admitted to take his Seat in the House until undoubted Proof is made that he was unduly elected; that the Petitioner is informed a Day is appointed to examine Witnesses in Support of the said Petition, when, he hopes, and desires, as his Right of serving his Country in a Legislative Capacity (which is one of the highest Privileges of an *Englishman*) is to be determined, he shall have an Opportunity of being heard by Counsel in the Defence of

his Right; and as he cannot possibly be prepared to make such Defence without being previously acquainted with the Nature of the said Charge, he requests the House will order him to be furnished with a Copy of the said Petition.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 1, 1756.

A Petition from sundry Tavern-keepers in *Lancaster*, praying that the House would allow their Accounts for Diet furnished the voluntary Militia on their March last Year to *Harris's Ferry*, was presented to the House and read, and

Ordered to lie on the Table.

The Minutes of the *Indian* Conferences at *Easton*, sent down by the Governor Yesternight, were read, and ordered to lie on the Table for the Perusal of the Members.

The Petition from *William Plumsted*, and the Petition from *John Jones* and others of *Northampton* County, were again read, and considered; and, after some Time spent therein.

Ordered, That the Clerk do give a Copy of the Petition from the said *Jones* and others to *William Plumsted*; and that the said *Plumsted* have Leave to be heard by Counsel, agreeable to the Prayer of his Petition.

Then the House adjourned to Three o'Clock, *P. M.*

The House went upon the Consideration of the Bill for providing for the *French* Neutrals, &c. and, after some Time spent therein, the same was referred to the Committee who brought it in, for Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 2, 1756.

Upon Motion made, that the House would determine how the Costs, arising upon the Hearing of the Merits of the late Election of a Representative for the County of *Northampton*, and the Charges of the Evidences who are summoned to attend the same, are to be paid, it was, after some Time spent in Consideration thereof,

Ordered, That Mr. *Baynton*, Mr. *Franklin*, Mr. *Denormandie*, Mr. *Ashbridge*, Mr. *James Wright*, Mr. *John Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to inspect the Journals of the House of Commons for Precedents relating to the Payment of such Costs and Charges as attend controverted Elections, and report thereon to the House.

The House were informed that *John Jones*, and the other Petitioners against the Election of *William Plumsted*, with their Evidences, were attending, according to the Order of

the Committee of Elections; and having heard that the said *Plumsted* had presented a Petition to the House, desiring to be heard by Counsel concerning the said Election, they requested that the same Liberty might be granted to them; and likewise that they might have a Copy of the said *Plumsted's* Petition; which was accordingly agreed to, and directed by the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee to whom the Bill for preventing the Exportation of Provisions, naval and warlike Stores to the *French*, was committed for Amendment, reported the same to the House and it was read, with the Amendments, the first time, and ordered a second Reading.

A Bill extending several Sections of the Act of Parliament for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, was brought in by the Committee appointed to prepare a Bill for the Quartering and Billeting of Soldiers, and read the first and second time, by special Order; and after some Time spent in Consideration thereof, the same was referred to further Consideration till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 3, 1756.

The Committee appointed to inspect the Votes of the House of Commons, for Precedents relating to the Payment of Costs and Charges attending controverted Elections, made a Report in Writing, which was read, and is as follows, *viz.*

IN Obedience to the Order of the House, we have examined the Votes of the House of Commons, and do find the following Precedents relating to the Charges and Expences arising in Cases of Complaint enquired into by the House.

In the Parliament of the Twenty-first of JAMES I. the Mayor of *Arundel* having misbehaved himself in the Election of a Burgess for that Town, was sent for, and ordered to pay the Charges of the Witnesses, to be assessed by three Members.

In the Eighteenth and Nineteenth of the same Reign, a Constable of *York* was sent for up, and accused of Misdemeanors; but being acquitted, he had *Five Pounds* ordered him for his Charges.—Also one *Napper* being committed to the Serjeant for serving a Subpoena on Mr. *Brereton*, was dismissed, after paying Costs to Mr. *Brereton*, and due Fees to the Officers of the House.

In the Fourth of CHARLES I. the Sheriff and one of the Aldermen of *York*, having conducted an Election illegally,

to the Prejudice of Alderman *Hoy*, a Candidate, were ordered to pay all the Charges of the Witnesses of the said *Hoy*, to be assessed by four of the Committee.

In 1699, March 9, *Thomas Hawksly* and *Roger Hunt*, Overseers of the Poor for *Nottingham*, being summoned to attend the Committee of Privileges and Elections, by *George Gregory*, Esq; Petitioner against *Robert Sacheverell*, Esq; prayed that they might be relieved for their Charges in coming to Town, Expences in Town, and returning home. And it was ordered, that the said *Gregory* do pay the Petitioners their reasonable Charges, to be assessed by the Chairman of the Committee.

In 1711, the 22d of March, a Complaint being made to the House, that *John Cunningham* was summoned in Behalf of Major General *Hamilton*, to attend the Committee of Privileges and Elections, to testify his Knowledge touching the late Election of a Member to serve in Parliament; and that Major General *Hamilton* refuses to pay him his reasonable Charges for his Journey and Attendance; it was ordered that the said *John Cunningham* have his reasonable Charges for his Journey and Attendance on the Committee, to be ascertained by the Chairman.

In 1715, September 8, *Anne Cater*, *John Burton*, *James Coot* and *Stephen Norman*, praying that they may be relieved for their Charges in coming up and staying in Town; being summoned as Witnesses by *John Hervey*, Esq; to attend the Hearing of the Merits of the Election for the County of *Bedford*; and the said *Hervey* having refused to give them reasonable Satisfaction, it was ordered that the said Mr. *Hervey* do pay the Petitioners their reasonable Charges, to be settled by Mr. Speaker.

In 1717, June 18, *Thomas Prowse*, Steward of the Manor of *Minehead*, complained, that he was required, by a Warrant from Mr. Speaker, to permit *George Speke*, Esq; or his Agents, to inspect the Rolls of the said Manor, and to take Notes or Copies therefrom, and to attend the House with the said Rolls; and that he did appear accordingly, and was examined; but that Mr. *Speke's* Agent refused him reasonable Satisfaction for the same; and praying Relief, it was ordered, that the said *Prowse* be paid his reasonable Charges, to be settled by Mr. Speaker.

In 1695, December 21, It was resolved, that Sir *George Meggot*, having preferred to the House a groundless and vexatious Petition, relating to the Election of Members to serve in Parliament for *Southwark*, do make Satisfaction to the Members he petitioned against for the Costs and Expences they have been put to by Reason of such Petitions.

In the same Year, *March 4*, It was resolved, that Sir *Richard Gipps*, having preferred to the House a frivolous, vexatious and groundless Petition, relating to the Election of Members for *Totness*, be taken into Custody of the Serjeant, and make Satisfaction to the Members he petitioned against, for the Costs and Expences they have been put unto by reason of such Petition.

The Votes of Parliament being voluminous, and mostly without Indexes, these are all the Precedents that the Committee, in so short a Time, have been able to find relating to the Payment of Witnesses Charges. Many there are in which no Application appears for the Payment of such Charges, nor any Determination wo should pay them; but whether there are any Determinations different or contrary in like Cases, we cannot say. These, without presuming to make any Remarks upon them, are humbly submitted to the Consideration of the House, by

December 3, 1756.

JOHN BAYNTON,
BENJAMIN FRANKLIN,
JOHN ABRAHAM DENORMANDIE,
GEORGE ASHBRIDGE,

JAMES WRIGHT,
JOHN WRIGHT,
WILLIAM ALLEN,
THOMAS YORKE."

And the foregoing Report being again read, and considered,

Resolved, That in all Causes and Complaints proper to be enquired into, heard and determined by the Assembly, where-in Witnesses are summoned to attend, it is the undoubted Right of this House, on Application made for that Purpose, to assess and ascertain the reasonable Costs and Expences of such Witnesses and others, summoned to attend the House, and order Payment thereof, together with the Officers Fees, to be made by such Persons as it shall appear to the House ought in Justice to pay the same.

The House resumed the Consideration of the Bill, entitled, *An Act for extending several Sections of an Act of Parliament passed in the Twenty-ninth Year of the present Reign entitled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*; and, after some Time spent therein, the same was ordered to be transcribed for a third Reading.

And the said Bill being accordingly transcribed, was read the third time.

Resolved, That the Bill do pass,

Ordered, That Mr. *Roberdeau* and Mr. *Baynton*, do carry up the same to the Governor for his Concurrence.

The Committee of Elections and Privileges report, that they had examined the Sheriff of *Northampton* County, relating to his Return of a Representative for the said County, and should have made some further Progress in the Matters referred to them, but that the Parties requiring Summonses for a considerable Number of Evidences, who would not attend without, they had postponed the Time for hearing the Merits of the Election, and had granted Summonses for the Witnesses, according to the Request of the Parties; that both Parties were now attending with their Witnesses, and requested to be heard by Counsel: The Committee therefore moved, that the House would determine whether the said Parties should be heard at the Bar of the House, or before the Committee?

And the House taking the same into Consideration,

Ordered, That both Parties, with their Counsel, be heard at the Bar of the House at Four o'Clock this Afternoon, and that the Clerk do give them Notice thereof.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to carry up the Bill for Quartering and Billeting of Soldiers reported, that they had delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch in his Power.

John Jones, and others, Petitioners against the late Election in *Northampton* County, the Sheriff of said County, and *William Plumsted*, with their respective Evidences, attending, according to the Order of the House, were called in; and were acquainted by Mr. Speaker, that the House were ready to enter upon the Hearing of the Merits of the said Election.

John Jones informed the House, that he had, in Pursuance of the Leave granted him by the House to be heard by Counsel, applied to several Gentlemen of the Law for that Purpose, but had not been able to procure any to appear for him.

The Attorney-General acquainted the House, that he appeared as Counsel for *William Plumsted*, if the House had no Objection thereto.

The House informed him they had no Objection.

He then moved that the House would, previous to their entering upon the Examination of the Witnesses, admit Mr. *Plumsted* to a Seat in the House; and produced some Author-

ities to shew, that in the House of Commons the Person returned sat as a Member till the Legality of the Election was determined. He further added, that his Reason for making this Motion was not to occasion any Delay, but because he understood that the House had had this Matter already under their Consideration, and had not as yet come to any Determination thereupon.

Mr. Speaker informed the Counsel, that as what he moved did not relate to the Merits of the Dispute, he could return no Answer till he had taken the Sense of the House thereupon.

Then the Parties were ordered to withdraw.

And the House taking the Motion of the Counsel into Consideration,

Resolved, That the Parties be again called in, and that Mr. Speaker acquaint the Counsel, that the House are fully satisfied that their Conduct hitherto, with Regard to their Proceedings upon this Election, was Parliamentary; and have determined, that, as this is the Day appointed for hearing the Merits of the Election in Dispute, the Parties shall immediately proceed upon the Examination of their respective Evidences.

And the Parties being called in, were acquainted with the said Resolution accordingly.

John Jones, one of the Petitioners, moved, that, as he had not been able to obtain Counsel, he might be allowed to have a Freeholder to assist him; which being agreed to by the House, he requested the Aid of *Mr. Israel Pemberton*, one of the Bystanders; but he declining it on Account of his being unacquainted with the Particulars of the Affair in Dispute, the said *Jones* said he would proceed by himself in the best Manner he was capable.

Then *Thomas Owen*, one of the Witnesses brought down on this Occasion, was examined upon his solemn Affirmation, touching what he knew concerning the late Election in *Northampton*; but as in the Course of his Examination sundry Questions were asked him relating to the Notice required by Law to be given by the Sheriff of the Time the Election was to be held, the Counsel moved, that that Matter might not be enquired into, as it was not one of the Charges mentioned in the Petition against the Validity of the Election, and it could not be expected that he or his Client should come prepared to answer any other Matters than what were contained in those Charges: That proceeding in the present Manner was

extremely improper, and might be productive of many Inconveniences.

Mr. Speaker said, he would take the Opinion of the House thereupon.

And then the Parties were ordered to withdraw.

And the House taking the Motion of the Counsel into Consideration,

Resolved, That the Legality of Elections is a matter in which every Freeman in the Province is interested, and every Enquiry which tends to shew in what Manner the same have been conducted is proper; therefore the House will proceed in examining the Witnesses in the Way they have begun; and in Case any Matters shall arise in the Course thereof, which either of the Parties are not prepared to answer, the House will, upon Application, allow them any reasonable Time that they may require for that Purpose.

And the Parties were called in, and acquainted with the foregoing Resolution.

Ordered, That the further Hearing of the Merits of the *Northampton* Election be deferred till To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 4, 1756.

The House proceeded to the further Hearing of the Merits of the *Northampton* Election, and *Jacob Yont*, one of the Evidences, was examined on Oath; also *Samuel Mechlin*, one of the Petitioners, on his solemn Affirmation:—And the Counsel having put several Questions to the latter, touching the Rise of the Petition, which were thought to have a Tendency to make him criminate himself, in Case any indirect Practices had been used therein, it was objected that he ought not to be obliged to answer such Questions;—and a Debate arising thereupon, the Parties were ordered to withdraw; which they did accordingly.

Resolved, That no Questions be asked the Witnesses of either Side, which may tend to make them criminate themselves; and that therefore all Questions shall be first proposed to Mr. Speaker, who is to put such of them as he judges not to have that Tendency.

The Parties were called in, and acquainted with the said Resolution.

The Counsel then moved, that he might have the Opinion of the House, whether *Mechlin* might not be asked what he

knew concerning any indirect Measures taken to induce *Brown*, another of the Petitioners, to sign the Petition?

Mr. Speaker told the Counsel, that the same Objection lay against that Question as the former, for if *Mechlin* knew of any in direct Measures having been taken to get the Petition signed, it must appear wrong in him to sign it himself: Besides, as the Affair was now before the House, and in a Way of being strictly examined into, it mattered not whether it took its Rise from one or more Persons; for if the House found, after hearing what could be alleged by both Parties, that the Trouble and Expense the Province is put to in enquiring into this Affair, was occasioned by a groundless and vexatious Petition, they should take such Measures as would effectually punish the Author or Authors thereof.

Then the Counsel desired to know, whether he might ask any other of the Evidences concerning *Jones's* and *Mechlin's* Conduct, with Regard to the Petition?

And he was answered, by Mr. Speaker, that he might.

And the House having gone through with *Mechlin's* Examination,

Ordered, That the further Hearing of the Merits of the *Northampton* Election be deferred till *Tuesday* next, at Ten o'Clock in the Morning.

Ordered, That Mr. *Blackledge* have Leave to be absent the next Week on urgent Business; and that Mr. *Denormandie*, Mr. *Melvin* and Mr. *Owen* have Leave to be absent till *Tuesday* next.

Then the House adjourned to next *Monday*, at Three o'Clock in the Afternoon.

December 6, 1756.

The House met, pursuant to their Adjournment.

The Governor, by Mr. Secretary, sent down to the House a Letter from *Conrad Weiser*, and a Petition to his Honour from *Heidelberg* Township, mentioning a Murder lately committed by the *Indians* in said Township, &c. which were read, and ordered to lie on the Table for the Perusal of the Members.

The Committee to whom the Bill for providing for the Maintenance of the *French* Neutrals, &c. was committed for Amendment, reported the same to the House, with sundry Amendments and Alterations they had made therein; and the same was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 7, 1756.

The House again proceeded upon hearing the Merits of the *Northampton* Election; and, after a considerable Time spent in the Examination of *John Rinker*, the Sheriff of said County, the further Hearing thereof was deferred to the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Owen* and Mr. *M'Connaughy* wait upon the Governor, and acquaint him, that the House desire to know when they may expect his Result upon the Bill for Billeting and Quartering of Soldiers.

The House proceeded to the Hearing of the Merits of the *Northampton* Election; and having gone through the Examination of *John Rinker*, the Sheriff of said County, the further Hearing of the Merits of said Election was adjourned till Tomorrow Morning.

The Gentlemen appointed to wait upon the Governor with the Message of the House return, and report, that they had delivered the same according to Order; and that the Governor was pleased to say, he would send a Message to the House within an Hour.

The Governor, by Mr. Secretary, sent down to the House the Bill for Quartering and Billeting of Soldiers, with a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'I am sorry to find myself at this critical Time under the Necessity of sending back your Bill, entituled, *An Act for extending several Sections of an Act of Parliament in the Twenty-ninth Year of his Majesty's Reign, entituled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*: This Bill being the same as that lately repealed by his Majesty in Council, with this only Difference, that the Preamble is left out, and the Substance thereof, which is chiefly objected to in the Repeal, is inserted in the Body of it, by extending the Twenty-fourth Section of the said Act of Parliament.

December 7, 1756.

WILLIAM DENNY."

And the same being again read, and considered, the House agreed not to extend hither that Part of the Twenty-fourth Section of the Act of Parliament objected to by the Governor, but that the same should be struck out of the Bill for Quartering of Soldiers within this Province; and it was done accordingly.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor with the said Bill, and acquaint him, that the

House have agreed to strike out the Part objected to by his Honour, and desire to know, in Case he shall agree to pass the Bill as it is now altered, when the House shall wait upon him for that Purpose.

The Gentlemen return, and report, that they had delivered the Bill for Quartering of Soldiers, and the Message of the House, according to Order, and that the Governor was pleased to say he would again consider the said Bill, and give it all the Dispatch in his Power: And being informed by the Members, that the House were in Hopes, as they had made all the Alteration proposed by his Honour, that he would this Evening have consented that it should be engrossed, ready to be enacted To-morrow Morning; he replied, that he could not come to any Determination thereupon this Evening.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 8, 1756.

The Governor, by Mr. Secretary, sent down to the House the Bill for Quartering of Soldiers, with a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

‘SINCE your Message of Yesterday Evening, I am well informed, from the strictest Enquiry, that the Quarters demanded by my Lord *Loudoun* for the Officers and Soldiers that are every Moment expected here, cannot be had in the Public-houses of this City. The Bill now before me therefore being insufficient to answer the End proposed by it, and the great Inconveniences that may arise if proper Quarters are not provided for the Reception of his Majesty's Troops being evident, I must, in the warmest Terms, recommend it to you, to make immediate Provision for that Service.

December 8, 1756.

WILLIAM DENNY."

Then Mr. Secretary, addressing himself to the Chair, said,

"SIR,

“The Governor commands me to acquaint the House, that if they do not think proper to make any further Provision than what is expressed in the Bill, the Governor agrees to the Alteration, and is ready to pass it as it now stands.”

Ordered, That the said Bill be engrossed.

Ordered, That Mr. *Baynton* and Mr. *Franklin* be a Committee to prepare a Draught of an Answer to the Governor's Message.

Ordered, That the further Hearing of the Merits of the *Northampton* Election be deferred till Four o'Clock this Afternoon.

The Committee appointed to prepare a Draught of an Answer to the Governor's Message reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor; and the same being accordingly done, was again read, and is as follows, *viz.*

May it please your HONOUR,

ON examining the Lists of recommended and licensed Public-houses, we find there are no less than One Hundred and Seventeen in this City only, exclusive of the Suburbs: We hope therefore your Honour will be of Opinion with us, that the Number of Soldiers for which Quarters are required may very well be disposed of among them in the Manner directed by the Act of Parliament now to be extended hither; especially as it is not necessary the Soldiers should all be lodged in the Public-houses, but those who keep such Houses may provide Lodging for the Men in other Houses, if they find it more convenient so to do."

And the said Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Denormandie* and Mr. *Douglas* wait upon the Governor, and deliver the same; and acquaint his Honour, that the Bill for Quartering of Soldiers is engrossed, and that the House desire he would be pleased to appoint a Member of Council to join a Member of this House in comparing the said Bill with the Original; and further, that he would be pleased to appoint a Time when the House shall wait upon him, in order to enact the same into a Law.

The engrossed Bill was read and compared at the Table.

The Gentlemen return, and report, that they had delivered the Message of the House, according to Order; and that the Governor was pleased to say he would appoint a Member of Council to join with such as should be nominated by this House to compare the engrossed Bill with the Original; and that he would be at the Council Chamber at One o'Clock, in Order to enact the same into a Law.

Ordered, That Mr. *Pearne* and Mr. *Hunt* do meet the Member of Council appointed by the Governor, in order to compare the engrossed Bill with the Original.

The Gentlemen return, and report, that they had, with a Member of Council, examined and compared the engrossed Bill with the Original, and found them to agree.

Ordered, That Mr. *Pearne* and Mr. *Hunt* see the Great Seal

affixed to the Law after it is passed, and the same deposited in the Rolls Office.

A Message from the Governor, by Mr. Secretary :

SIR,

"The Governor requires the Attendance of the House in the Council Chamber immediately, in order to enact into a Law the Bill which he has lately consented to pass."

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, Mr. Speaker reported, that the House had waited upon the Governor with the Bill, entitled, *An Act for extending several Sections of an Act of Parliament, passed in the Twenty-ninth Year of the present Reign, entitled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, to which his Honour was pleased to give his Assent, by enacting the same into a Law.

Then the House adjourned to Four o'Clock, P. M.

The Gentlemen appointed to see the Great Seal affixed to the Law after it was passed, reported that the same was done accordingly; and that it was deposited in the Rolls Office.

The House again proceeded upon the Affair of the *Northampton* Election; and the Counsel for Mr. *Plumsted* having moved, that in Consideration of the Time taken up in examining the Witnesses, and the House having Affairs of great Moment before them, Mr. *Plumsted*, notwithstanding he was convinced that he was duly elected and returned, was willing to wave his Right to a Seat in this House, if Writs might be issued for a new Election, and all further Proceedings on that Affair dropt.

And the Parties being ordered to withdraw, the House went upon the Consideration of the said Motion; and, after some Time spent therein, it was

Resolved, That *William Plumsted* have Leave to withdraw his Petition and Claim to a Right to sit in this House at this Time.

The Parties were called in, and the Counsel for the said *William Plumsted* was informed of the foregoing Resolution.

The Counsel having desired Time till To-morrow Morning to consider of the Answer given by the House to his Proposal, the same was granted by the House; and Mr. Speaker informed the Counsel further, that in Case *William Plumsted* should not chuse to withdraw his Petition and Claim of a Right to sit in this House, that the House would proceed in the Examination of the Evidences,

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 9, 1756.

The House resumed the Affair of the *Northampton* Election.

The Counsel for *William Plumsted* acquainted the House, that to prevent Mistakes he had put his Answer in Writing; which, with the Leave of the House, he presented at the Table.

And the said Paper being read, Mr. Speaker informed the Counsel, that it did not become the House to make Terms with the Petitioner; but if he inclined, agreeable to the Resolution of the House, to withdraw his Petition and Claim to a Right to a Seat in the House, he might.

The Counsel replied, that he was not impowered to make any further Answer than what was contained in the Paper he had presented to the House.

Ordered, That the Parties withdraw; and they withdrew accordingly.

Then the said Paper was again read; and, after some Time spent in Consideration thereof, it was

Resolved, That the written Answer, presented by the Counsel for *William Plumsted*, is frivolous and evasive.

Ordered, That both Parties be called in, and that Mr. Speaker do acquaint the Counsel with the foregoing Resolve, return the said written Paper, and demand a positive Answer of him, whether he will withdraw the Petition or not*?

** The following is a Copy of the Paper presented by the Counsel for William Plumsted, viz.*

Mr. *Plumsted*, though fully convinced that he could clearly shew, by indubitable Proofs, that his Election as a Representative for the County of *Northampton* was legal and fair, assures the House, that his only Motive in making a Proposal to wave his Right to a Seat in this House, in Consequence of such Election, was founded in the Public Good, lest the Time he finds must inevitably be spent in prosecuting his Right might obstruct and retard Matters of the highest Concern and Importance to the People of this Province, which he has been informed were before the House when the Petition was preferred against him: And though he does not take upon him to make Terms with, or prescribe Rules to, the House, yet he expected that all further Enquiry would end here, and no more Time be taken up in examining any of the great Number of Witnesses attending on this Occasion. But if the House is still desirous to hear other Proofs, and make any further Enquiry in this Case, Mr. *Plumsted* prays the whole Testimony may be disclosed on both Sides,

December 9, 1756. A. M.

And the same being done accordingly, the Counsel desired the House would proceed in the Examination of the rest of the Witnesses; which being agreed to by the House, *William Parsons* was qualified, and examined; and the further Hearing of the Merits of the *Northampton* Election was deferred till the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House again proceeded upon hearing the Merits of the *Northampton* Election; and, after a considerable Time spent in the Examination of *Nathaniel Vernon* and *Jost Fuller*, of *Easton*, in said County, the further Hearing thereof was deferred till To-morrow Morning.

The House taking into their Consideration, that *Nathaniel Vernon*, of *Northampton* County, had, in the Course of his Evidence this Day before the House, mentioned his having received a Letter from the Reverend *William Smith*, Provost of the College of *Philadelphia*, concerning the late Election of a Representative for the said County;

Ordered, That the said *Vernon* do, as soon as he conveniently can, between this and the next Sitting of Assembly, deliver the said Letter to the Speaker of this House.

Upon Motion made,

Ordered, That all the Evidences who have given their Testimony before the House, concerning the *Northampton* Election, have Leave to return to their respective Homes.

Upon Motion made,

Ordered, That *William Parsons*, of *Northampton* County, do send to the Speaker of this House, as soon as may be, the Letters which were mentioned by *Nathaniel Vernon*, in the Course of his Testimony, to have been received by the said *Parsons*, concerning the last Election of a Representative for said County, from *Richard Peters*, Esq; Secretary, and other Persons, living in the City of *Philadelphia*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 10, 1756.

The House again proceeded upon hearing the Merits of the *Northampton* Election; and, after some Time spent in the Examination of *Nicholas Scull*, late Sheriff of said County, the further Hearing thereof was referred to the Afternoon.

In the Course of the last mentioned Examination, *John Jones* produced a Letter, which he said he had received from the said *Nicholas Scull*; and the same being read, the said *Scull* acknowledged it to have been wrote by him.

The said Letter follows in these Words, *viz.*

SIR,

Easton, October 12, 1756.

I MAKE no Doubt but before this Time you have heard that *Johnny Jennings* has lost the Sheriff's Office. I believe the Reason why, was, that Mr. *Parsons* wrote in *Rinker's* Favour, as I have had some Hints that *Vernon* carried a Letter which he intimated would get *Rinker* the Office. I think, if so, there is no Belief in Mr. *Parsons*; for, a few Days before the Election, Mr. *Parsons* and I had some Talk about them that purposed to set up for the Sheriff's Office, and he then said, that he thought *Johnny* much the fittest, as he was a sober well behaved young Man, and had some Experience of the Office: But you know Mr. *Parsons* is a Man that is not apt to forget any old Difference; and I suppose the Difference between *Johnny's* Father and him is the Reason that he wrote in *Rinker's* Favour, as Mr. *Peters* told me there was no Objection against *Johnny*, only on Account of his Father; and I think he need never set up for the Office any more, for as I told Mr. *Peters* I thought it very hard that any Mis-step of the Father should be thrown at the Son, when he behaved himself well; and the Answer was, That the Iniquities of the Father should be inflicted upon the Children, until the third and fourth Generation. So, if that is the Case, I think that *Johnny* may be easy; for as long as Mr. *Parsons* is in the County he will be against him. I suppose you will see *Johnny* soon, and he will let you know how Things has gone. I am,

Sir, your humble Servant,

NICHOLAS SCULL.

N. B. *Vernon* and *Rinker* has reported, that *Johnny* and the whole Family were against Mr. *Allen's* coming in the House, which may be some Reason against his not getting the Office."

It being moved, that in the Course of the Evidence already heard concerning the late Election in *Northampton* County, several Things were mentioned touching the Conduct of *William Parsons*, of said County, in that Affair, which it would be necessary for this House to make further Enquiry into; and that it was highly just and reasonable that the said *Parsons* should have an Opportunity of being heard in his own Vindication; it was therefore

Ordered, That the said *Parsons* do attend this House till further Orders.

Ordered, That *Nicholas Scull*, late Sheriff of *Northampton* County, do, as soon as may be, send to the Speaker of this

House the Letter which the said *Scull* mentioned in the Course of his Testimony to have received from *Richard Peters*, Esq; Secretary, acquainting him, the said *Scull*, that there was to be a new Election of a Representative for the said County, in the Room of *William Allen*, Esq; who had chosen to serve for the County of *Cumberland*.

Then the House adjourned to Three o'Clock, *P. M.*

The House again proceeded upon hearing the Merits of the *Northampton* Election; and, after a considerable Time spent in going through the Examinations of *James Ralston*, *Lewis Klotz*, *Adam Deshler* and *Hugh Wilson*, Inhabitants of said County, the further Hearing thereof was referred to To-morrow Morning.

William Parsons having applied to the House for Leave to return Home, as he was a public Officer, and should be wanted at the ensuing Court, now near at hand; he was informed by Mr. Speaker, that the House were willing to hear at this Time, if he thought fit, any Evidence he might have to produce in Vindication of his Conduct on the late Election of a Representative for *Northampton* County. To which he answered, that as the Evidences necessary to clear up his Conduct in that Affair were not now present, he desired he might be allowed to return Home, and he would attend again with his Evidences at any Time the House should think fit to appoint.

Ordered, That the said *Parsons* have Leave to return Home; and that he attend the House at such Time as shall be hereafter appointed for that Purpose.

It being moved, that some Method should be fallen upon to shorten the future Proceedings of the House on the Affair of the *Northampton* Election, the House went upon the Consideration thereof; and, after some Time spent therein, it was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 11, 1756.

The House resumed the Consideration of the Motion for shortening the Proceedings on the *Northampton* Election; and, after some Time spent therein, it was

Resolved, That both Parties be called in, and that Mr. Speaker acquaint them, that the House having spent much Time in hearing Witnesses, many of whom have said nothing, or but little to the Points material and essential to the Determination of this Controversy, have resolved that both

Parties shall immediately proceed to examine Witnesses, if any such they have, to satisfy the House in the four following Points, as they conceive them to be the only material Points arising in this Enquiry.

1st, To shew whether the timely Notice, required by Law, was given by the Sheriff to the Inhabitants of the County before the Election?

2dly, Whether the Election was held by proper Persons or Judges, qualified as the Law directs?

3dly, Whether the Inspectors were furnished with the alphabetical Lists of the Taxables of the respective Townships, and wrote [*Voted*] on them, according to Law?

4thly, To produce such alphabetical Lists, if such there were made use of at the Election.

And the Parties were called in, and acquainted with the foregoing Resolve accordingly.

The Counsel for *William Plumsted* thereupon informed the House, that they did not know at first what might be objected to the Validity of the Election, except what was contained in the Petition from *Jones* and others, and had therefore only come prepared with Evidence to answer the Allegations contained in the said Petition; that, however, with such accidental Evidence as they now had, they would endeavour to satisfy the House in the four Points they had agreed upon.

The Counsel having also moved, that the House would give him Leave to shew how the Petition against the Election took its Rise; he was informed by Mr. Speaker, That that was not a Matter which concerned the Merits of the Dispute, and that he must confine himself to the Points which had been settled by the House.

Mr. Speaker moreover informed the Counsel, that as he had acquainted the House that he had not come prepared to answer any other Points than what were contained in the Petition from *Jones* and others, the House would, if he desired it, give him Time till the next Sitting of Assembly, for that Purpose.

To which the Counsel answered, That they would first produce what Evidence they had to the four Points agreed upon, and if they should find it not sufficient, and were of Opinion they could produce more, that then they would request further Time for that Purpose.

Then the House proceeded upon the Hearing of the Merits of the *Northampton* Election; and, after some Time spent in going through the Examinations of *Frederick Koon*, *John*

Cook, Alexander Miller and *Conrad Hess*, of the said County, the further Hearing thereof was referred to the Afternoon.

The Counsel for *William Plumsted* moved, that, as he found himself indisposed, he might have Leave to send a Person to take Notes in his Place this Afternoon; to which the House agreed.

Then the House adjourned to Four o'Clock *P. M.*

The House again proceeded upon hearing the Merits of the *Northampton* Election, and having gone through the Examinations of *Andreas Ostrum*, *George Rex*, *Thomas Huntzaker*, *George Kersner*, *David Behringer*, *Jacob Taylor*, *Matthias Riggle* and *John Bechtal*, the Petitioner, *John Jones*, moved, that he might be allowed to give his Evidence; but this was objected to by *William Plumsted*, who moved, that as the Evidence of the said *Jones* might be of considerable Importance with regard to the Matter in Dispute, the taking thereof might be deferred till his Counsel could attend, in order to cross-examine him.

The said *Plumsted* being asked, Whether he had any more Evidences to be examined, answered, that he had not any more present; but he expected more, particularly one *Thomas Armstrong* (to whom he had given Leave to go out of Town for a Day or two to see a Relation, about ten or twelve Miles off) would be here by *Tuesday* next, who he should like to have examined; and he hoped that the House would postpone any farther Proceedings on this Affair to that Time, when he imagined that his Counsel would be able to attend.

The Sheriff of *Northampton* County, and *John Jones*, the Petitioner, informed the House, that it would be extremely inconvenient for them to wait in Town till *Tuesday* next, after having been so long from their respective Homes, and desired, that if the Merits of the Election for said County was not now to be determined, they might be discharged from any farther Attendance on the House at present, and they would readily come down again at such future Time as the House should appoint for a Determination.

Several of the Evidences, who had been examined, likewise made the same Request to the House.

Ordered, That the Parties do withdraw; and they withdrew accordingly.

The House taking into Consideration, that *William Plumsted* had desired farther Time to bring more Evidence, relating to the several Points which the House had agreed to have determined; and that the House had now before them Business

of the utmost Consequence to the Welfare of this Province, which will not admit of any longer Delay; it was thereupon

Resolved, That the further Hearing of the Merits of the *Northampton* Election be deferred to such future Time as shall be hereafter settled by this House; and that when the said Time for the further Hearing shall be so settled, the Clerk do give Notice thereof to both Parties.

Ordered, That the Sheriff, *John Jones*, and the Evidences now in Town, have Leave to return to their respective Homes.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

December 13, 1756.

The House met, pursuant to their Adjournment.

A Remonstrance from the Mayor, Recorder and Aldermen of the City of *Philadelphia*, with a Paper annexed, were presented to the House, and read, and are as follows, *viz.*

To the Honourable the REPRESENTATIVES of the Freemen of the Province of *Pennsylvania*, now sitting in Assembly,

The REMONSTRANCE of the Mayor, Recorder and Aldermen of the City of Philadelphia, sheweth,

THAT your Remonstrants have prepared Billets on the Public-houses of this City, according to the Directions of a late Act in such Case made and provided, for such of his Majesty's Forces as Lord *Loudoun* hath been pleased to order into Winter Quarters here; but we find, on the strictest Enquiry into the Circumstances of the Keepers of such Public-houses, that many of them are so poor and indigent, that they are neither of Ability to support the Burden of providing for so great a Number of Troops, or have proper Houses and Accommodations suitable for their comfortable Reception. We further beg Leave to remonstrate, that the commanding Officer hath demanded a Hospital, with Bedding, Fire, and other Necessaries, to be provided for a Number of Sick; but as no public Building hath been erected in this City for that Purpose, your Remonstrants, though willing and desirous to do every Thing in their Power to demonstrate their Loyalty to his Majesty, and to promote the Good of his Service, are sorry to find themselves incapable of complying with this Demand, without the Aid and Assistance of the Legislature of this Province: We therefore thought it our Duty to lay the Premises before you our Representatives, that such Regulations and Provision may be made therein as you in your

Wisdom shall judge most expedient.

City of *Philadelphia*,

Dec. 11, 1756.

ATTWOOD SHUTE, Mayor,

BENJAMIN CHEW, Recorder,

WILLIAM PLUMSTED,

ROBERT STRETTELL,

JOHN MIFFLIN,

JOHN STAMPER,

THOMAS LAWRENCE,

ALEXANDER STEDMAN."

Captain TULLEKEN's Demand of Quarters, &c.

IN Obedience to Orders received from his Excellency the Earl of *Loudoun*, Colonel *Stanwix* has thought proper to send Captain *Tulleken* to *Philadelphia* to demand Quarters for the First Battalion of his Majesty's Sixty-second, or *Royal American, Regiment*.

Captain *Tulleken* demands Quarters as follows:

Quarters for 500 Men; a Hospital for the Sick; a Store-house; a Guard-room for an Officer and Men.

Billets for the Officers.

Colonel one; Lieutenant-Colonel one; Majors one; Captains eight; Subalterns thirty; Staff-Officers six. Total Forty-seven.

N. B. There must be Fire and Candles for the Guard-room, and for the Hospital.

Besides the above, Captain *Gate's* Company of Independents, Forty-seven Men, four Officers.

The Whole have Billets delivered them on the Public-houses.

December 13, 1756.

ATTWOOD SHUTE, Mayor.

And the House taking the foregoing into Consideration,

Ordered, That the Clerk do acquaint the Mayor of the City of *Philadelphia*, that the House require him to lay before them a List of the Names of the Public House-keepers, with the Number of Officers and Soldiers billeted on each House in the said City.

Then the House adjourned to Half an Hour after Nine o'Clock To-morrow Morning.

December 14, 1756.

The Clerk reported, that he had, according to the Order of the House, acquainted the Mayor, that the House required him to lay before them a State of the Billeting of the Soldiers now in this City; who said, that as several of the Tavern-keepers had already resigned, and he expected that many more would do the same before Night, it would be of little Service to make out the said State immediately; but that he would do it either this Evening or To-morrow and deliver the same to the House, or to Mr. Speaker.

The Bill for impowering the Overseers of the Poor of this Province to make Provision for such of the Inhabitants of the Frontier Counties as are reduced and unable to maintain themselves and Families, and cannot be supported by the Townships in which they had gained a Settlement; and to enable the Overseers of the Poor for the Counties of *Philadelphia*, *Bucks*, *Chester* and *Lancaster* to support the Neutral *French*, and bind out their Children, was read the second time; and after some Time spent therein, it was ordered to be referred to the Committee who prepared the same, in order to be formed into two separate Bills; and Mr. *Denormandie* was added to the said Committee.

Ordered, That Mr. *Galloway* and Mr. *Masters* be a Committee to prepare and bring in a Bill for continuing the Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor's Estimates of the Supplies necessary for the current Year were again read, and considered; and, after some Time spent therein, the same were referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 15, 1756.

Six Petitions (*viz.* from *Adam Rutter*, *William Fox*, *John M'Nomee*, *Humphrey Waine*, *Theophilus Thomas* and *Roger Martin*, of the County of *Chester*) praying that this House would grant them Redress in sundry Grievances, occasioned by the arbitrary and oppressive Conduct of *William Moore*, Esq; one of the Justices for said County, were presented to the House and read, and *Ordered to lie on the Table*.

The House went upon the Consideration of the Supplies necessary to be granted for the current Year: and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House again resumed the Consideration of the Supplies necessary for the current Year; and, after some Time spent therein,

Resolved, That a Supply of *One Hundred Thousand Pounds* be granted to his Majesty for the Service of the current Year.

Resolved, That this House will To-morrow Morning resolve itself into a Committee of the whole House, to consider of

Ways and Means for raising the Supply granted to his Majesty.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 16, 1756.

The Order of the Day, for the House to resolve itself into a Committee of the whole House, to consider of Ways and Means for raising the Supply granted to his Majesty, being read,

The House accordingly resolved itself into the said Committee; and, after some Time spent therein, Mr. Speaker resumed the Chair; and Mr. *Leech* reported from the Committee, that they had made some Progress in the Matters referred to them, but not having Time to go through the same, they had directed him to move for Leave to sit again in the Afternoon.

Resolved, That this House will, this Afternoon, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

Then the House adjourned to Three o'Clock, *P. M.*

The House (according to Order) resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some farther Progress in the Matters referred to them and had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

The House taking into Consideration, that it would be necessary that an Hospital be provided for the Use of the sick Soldiers that are, or may be, in this Province;

Resolved, That it be recommended to the Commissioners for disposing of the *Thirty Thousand Pounds*, lately granted to the King's Use, to make Provision for the Expence thereof, with the necessary Utensils.

Ordered, That Mr. *Leech*, Mr. *Franklin*, Mr. *Walker*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of a Message to the Governor, concerning the Report now prevailing in the City of the Governor's having given Orders for Quartering of Soldiers upon private Houses.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 17, 1756.

The Order of the Day, for the House to resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty, being read,

Resolved, That this House will, this Afternoon, resolve itself into the said Committee.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of a Message to the Governor, reported the same to the House; and, being read, it was agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

And the said Message being accordingly transcribed, was again read, and is as follows, *viz.*

May it please your Honour,

A REPORT having Yesterday prevailed in Town, that your Honour had given Orders to the Sheriff to quarter the Soldiers on private Houses, which greatly surprised the Inhabitants, the House (though they do not believe it possible your Honour could be prevailed with to issue Orders so diametrically opposite to an express Law passed by yourself but a few Days before) think it necessary on this Occasion humbly to request, that your Honour would be pleased to direct the Magistrates and Officers of the City and Liberties, who have billeted the Soldiers on Public-houses, according to Law, to visit those Houses, inspect the Accommodations provided for the Men, see that they are good and sufficient, and oblige every Public House-keeper to receive, and provide for, the Officers and Soldiers that are or may be billeted on each House, in Proportion to the Number for which Quarters are required, either in the Public-houses, or such others as the Keepers of them may procure; so that the Minds of the People may be quieted, and no just Cause of Complaint may arise, that Quarters, and the Necessaries in Quarters, are not duly provided, according to the Intention of the Legislature in passing that Act.

The House have recommended it to the Provincial Commissioners to provide an Hospital for the Soldiers, which we make no Doubt will be done accordingly.”*

* A very convenient Guard-house was before provided at the Expence of the Province.

The foregoing Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor, and deliver the same.

The House, according to Order, resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some further Progress in the Matters referred to them, but not having gone through the same, they had directed him to move for Leave to sit again.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

The Gentlemen appointed to wait upon the Governor with the Message of the House, return, and report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he would give it all due Attention, and return an Answer to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 18, 1756.

A Petition from *Philip Knight*, of the County of *Lancaster*, was presented to the House and read, setting forth, that the Petitioner is confined in Goal for Debt; that he has already delivered up all his Goods and Effects, and what Debts were due to him, to his Creditors, and has nothing left him to support himself in his Confinement; that he is upwards of Fifty Years of Age, and has a Wife near the same Age, incapable of getting her Livelihood; that the Petitioner is a Smith by Trade, and having always been used to work hard, his different Manner of living since his Confinement has rendered him very sickly; that the Petitioner had three very good Workmen who enlisted in the King's Service, which has been the chief Cause of his Ruin; that he has done all in his Power to compromise Matters with his Creditors, but without Success, they saying they would keep him in Goal till he rotted; the Petitioner therefore prays, that this House would take his deplorable Case into Consideration, and grant him

Relief, by passing such an Act in his Behalf as in their Wisdom shall seem most proper.

Ordered to lie on the Table.

The Order of the Day being read;

The House resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported, that he was directed by the Committee to move, that they may have Leave to sit again.

Resolved, That this House will, upon *Tuesday* next, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'THE King's Troops must be quartered. With respect to the Insufficiency of the late Act, I refer you to my Message of the Eighth Instant, delivered immediately before the passing of it; and I see no Reason, from any Thing that has occurred since, to alter my Opinion.

December 18, 1756.

WILLIAM DENNY."

And the foregoing Message being again read, and considered; it was, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Franklin*, Mr. *Walker*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of a Message to the Governor, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 19, 1756.

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please your HONOUR,

TO prevent, if possible, any Misunderstanding between your Honour and this House, we beg Leave to recapitulate what has passed on the Article of Quarters, during the present Session.

On the 19th of *October* last, your Honour was pleased to communicate to us a Letter from Lord *Loudoun* to yourself, dated *September* 22, 1756, in which Quarters, and the Necessaries allowed in Quarters by Act of Parliament, were demanded of this Province: The Building of Barracks came first under our Consideration, but if the House had been disposed to build them, the Season was too far advanced, and the Dimensions could not be judged of, as the Number of Forces to be quartered here was not expressed.

The House then endeavoured to procure the last Act of Parliament that was made for the Quartering of Soldiers in *England*, to be their Guide in making the necessary Provision here; your Honour was applied to for a Sight of that Act, which you were so kind as to promise to procure for us, but some Time passed before we obtained it.

On the 24th of *November* your Honour was pleased to lay before us another Letter from Lord *Loudoun*, dated *October* 28, 1756, in which the Demand for Quarters was repeated, and one Battalion of the *Royal Americans* was mentioned to be provided for in *Philadelphia*, but the Number of which that Battalion should consist was not mentioned. His Lordship is not particular as to Quartering, or the Necessaries to be furnished in Quarters, as he is pleased to say, "he is writing to one who is so thoroughly acquainted with the Quartering in *England* in Time of Peace, and what Things are furnished in Quarters for the Officers and Soldiers, and how much further Quartering extends in Time of War, and even must do so from the Nature of Things."

Your Honour has never been explicit on these Points with the Assembly. We know nothing of them but what is to be learnt from the Act of Parliament you were so good as to furnish us with. We presented to your Honour a Bill so exactly conformable to that Act, that it brings over the very Clauses, by which Troops are quartered in *England*. After this Bill had lain four Days in your Honour's Hands, the House hearing the Soldiers were expected in Town the next Day, sent up to know your Result upon it.' You were then pleased in a Message to object to the Preamble of one of those Clauses; we immediately agreed to strike it out, and had no Reason to expect any farther Objections.

However, before the Bill passed, and after the Amendment was agreed to, your Honour did indeed send us down the following written Message, *viz.*

GENTLEMEN,

"SINCE your Message of Yesterday Evening, I am well

informed, from the strictest Enquiry, that the Quarters demanded by my Lord *Loudoun* for the Officers and Soldiers that are every Moment expected here, cannot be had in the Public-houses of this City. The Bill now before me therefore being insufficient to answer the End proposed by it, and the great Inconveniences that may arise if proper Quarters are not provided for the Reception of his Majesty's Troops being evident, I must, in the warmest Terms, recommend it to you, to make immediate Provision for that Service.

December 8, 1756.

WILLIAM DENNY."

With the above written Message your Honour was pleased farther to send us a verbal One in these Words, *viz.*

"SIR,

"The Governor commands me to acquaint the House, that if they do not think proper to make any further Provision than what is expressed in the Bill, the Governor agrees to the Alteration, and is ready to pass it as it now stands."

As the House had been informed that the Number for which Quarters were demanded, did not exceed 600 Men, Officers included, and were of Opinion that the Public-houses of *Philadelphia* were sufficient to provide Quarters for that Number, they acquainted your Honour with their Sentiments in the following respectful Message:

May it please your Honour,

"ON examining the Lists of recommended and licensed Public-houses, we find there are no less than One Hundred and Seventeen in this City only, exclusive of the Suburbs: We hope therefore your Honour will be of Opinion with us, that the Number of Soldiers for which Quarters are required may very well be disposed of among them in the Manner directed by the Act of Parliament now to be extended hither; especially as it is not necessary the Soldiers should all be lodged in the Public-houses, but those who keep such Houses may provide Lodging for the Men in other Houses, if they find it more convenient so to do."

December 8, 1756.

Signed, by Order of the House,

ISAAC NORRIS, *Speaker.*"

Your Honour made no Reply to this Message, but passed the Bill the same Day; and therefore we had Reason to believe you were satisfied with it.

The Bill passed on the Eighth Instant: On the 13th, the Mayor and Aldermen of *Philadelphia* presented to the House the following Remonstrance, and withal laid before us the annexed Paper, expressing the Number for which Quarters were demanded.

To the Honourable the REPRESENTATIVES of the Freemen of the Province of *Pennsylvania*, now sitting in Assembly,
The REMONSTRANCE of the Mayor, Recorder, and Aldermen of the City of Philadelphia, sheweth,

"THAT your Remonstrants have prepared Billets on the Public-houses of this City, according to the Directions of a late Act in such Case made and provided, for such of his Majesty's Forces as Lord *Loudoun* hath been pleased to order into Winter Quarters here; but we find, on the strictest Enquiry into the Circumstances of the Keepers of such Public-houses, that many of them are so poor and indigent, that they are neither of Ability to support the Burden of providing for so great a Number of Troops, or have proper Houses and Accommodations suitable for their comfortable Reception. We further beg Leave to remonstrate, that the commanding Officer hath demanded an Hospital, with Bedding, Fire, and other Necessaries, to be provided for a Number of Sick; but as no public Building hath been erected in this City for that Purpose, your Remonstrants, though willing and desirous to do every Thing in their Power to demonstrate their Loyalty to his Majesty, and to promote the Good of his Service, are sorry to find themselves incapable of complying with this Demand, without the Aid and Assistance of the Legislature of this Province: We therefore thought it our Duty to lay the Premises before you our Representatives, that such Regulations and Provision may be made therein as you in your Wisdom shall judge most expedient.

City of *Philadelphia*
Dec. 11, 1756.

ATTWOOD SHUTE, Mayor,
 BENJAMIN CHEW, Recorder,
 WILLIAM PLUMSTED,
 ROBERT STRETTELL,
 JOHN MIFFLIN,
 JOHN STAMPER, "
 THOMAS LAWRENCE,
 ALEXANDER STEDMAN."

Captain TULLEKEN's Demand of Quarters, &c.

"IN Obedience to Orders received from his Excellency the Earl of *Loudoun*, Colonel *Stanwix* has thought proper to send Captain *Tulleken* to *Philadelphia* to demand Quarters for the First Battalion of his Majesty's Sixty-second, or *Royal American*, Regiment.

"Captain *Tulleken* demands Quarters as follows:

"Quarters for 500 Men; an Hospital for the Sick; a Store-house; a Guard-room for an Officer and Men.

"Billets for the Officers.

“Colonel one; Lieutenant-Colonel one; Majors one; Captains eight; Subalterns thirty; Staff-Officers six. Total Forty-seven.

N. B. There must be Fire and Candles for the Guard-room, and for the Hospital.

Besides the above, Captain *Gate's* Company of Independents, Forty-seven Men, four Officers.

“The Whole have Billets delivered them on the Public-houses.

December 13, 1756.

ATTWOOD SHUTE, Mayor.

The House, how desirous soever that the King's Troops might have good and suitable Quarters, could not proceed to make further Provision by a Supplementary Act, without being well informed of the present State of the Quartering, that they might know what was deficient, and what was necessary to be supplied; they therefore immediately required the Mayor to lay before the House a List of the Names of the Public House-keepers, with the Number of Officers and Soldiers billeted on each House (which he accordingly undertook to do by the next Morning) that we might be able to judge whether they could, or could not, be comfortably quartered by those Public House-keepers.

This Order of the House, though of some Days standing, not being complied with, and the House being sincerely desirous that the King's Troops should be well provided for, took Occasion, from the Report that your Honour had issued Orders for Quartering on private Houses, to send up their Message of Yesterday, in the following Words, *viz.*

May it please your HONOUR,

“A REPORT having Yesterday prevailed in Town, that your Honour had given Orders to the Sheriff to quarter the Soldiers on private Houses, which greatly surprised the Inhabitants, the House (though they do not believe it possible your Honour could be prevailed with to issue Orders so diametrically opposite to an express Law passed by yourself but a few Days before) think it necessary on this Occasion humbly to request, that your Honour would be pleased to direct the Magistrates and Officers of the City and Liberties, who have billeted the Soldiers on Public-houses, according to Law, to visit those Houses, inspect the Accommodations provided for the Men, see that they are good and sufficient, and oblige every Public House-keeper to receive, and provide for, the Officers and Soldiers that are or may be billeted on each House, in Proportion to the Number for which Quarters are required, either in the Public-houses, or such others as the Keepers of them may procure; so that the Minds of the People may

be quieted and no just Cause of Complaint may arise, that Quarters, and the Necessaries in Quarters, are not duly provided, according to the Intention of the Legislature in passing that Act.

"The House have recommended it to the Provincial Commissioners to provide an Hospital for the Soldiers, which we make no Doubt will be done accordingly.*

December 17, 1756.

Signed, by Order of the House,
ISAAC NORRIS, *Speaker."*

To this your Honour is pleased to answer as follows, *viz.*

"GENTLEMEN,

"THE King's Troops must be quartered. With respect to the Insufficiency of the late Act, I refer you to my Message of the Eighth Instant, delivered immediately before the Passing of it; and I see no Reason, from any Thing that has occurred since, to alter my Opinion.

December 18, 1756.

WILLIAM DENNY."

On the Whole we beg Leave to remark, that if any Thing more than the Act of Parliament requires, be expected of us, we have never been explicitly informed what it is: That though your Honour is referred to by Lord *Loudoun*, as well acquainted with those Matters, you have never explained them to us: That when the Bill for extending the Act of Parliament hither was presented for your Concurrence, you made no Objection as to its Insufficiency, but that the Public-houses could not accommodate the Whole; which Objection we had afterwards Reason to think we had obviated to your Satisfaction.—And lastly, that in your Message of Yesterday, you are not pleased to say that you will or will not favour us in our Request, that the Magistrates may be directed to see the Act duly executed, and good Quarters effectually provided; nor to point out any other or further Deficiency in the Act; but only tell us, as we think, somewhat abruptly, *that the King's Troops must be quartered.*

May it please the Governor, we know that the King's Troops must be quartered, and are desirous they should have good Quarters. The Assemblies of this Province have in very late Instances shewn their Regard for the Soldiery, by voluntarily presenting Conveniencies and Refreshments to the Officers, and furnishing Provisions and warm Cloathing for the Soldiers of the King's Forces, to the Amount of many Thousand Pounds. We thought we had by the late Law provided well for their

* A very convenient Guard-house was before provided at the Expence of the Province.

Quartering in this Province; especially as we had exactly followed the Act of Parliament made for the same Purpose. We cannot conceive it will, when well considered, be thought adviseable, to quarter the Soldiers by Force on private Houses rather than by Law on Public-houses; and we apprehend, that if the bought Servants, which have been so lately taken from the King's good Subjects here, and no Satisfaction made their Owners, notwithstanding the Act of Parliament so expressly requires it, are now to be thrust into their Houses, and made their Masters, some Commotions may arise, dangerous to the King's Peace. On these Considerations, and being desirous to preserve a good Understanding with your Honour, we beg you would be pleased to favour us with a Conference, that this Matter may, as soon as possible, be fully understood, and finally settled."

And the said Message being signed by Mr. Speaker, by Order of the House.

Ordered, That Mr. *Roberdeau* and Mr. *Hughes* wait upon the Governor, and deliver the same.

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Franklin*, Mr. *Masters* and Mr. *Allen* be a Committee to confer with the Governor, concerning the Quartering of Soldiers; in Case his Honour shall agree to the Request of the House on that Head.

Then the House adjourned to Four o'Clock To-morrow Afternoon.

December 20, 1756.

The Gentlemen appointed to wait upon the Governor with the Message of Yesterday, reported, that they had delivered the same, according to Order; and that the Governor was pleased to say he would provide an Answer, and send the same to the House.

The Committee appointed to confer with the Governor, on the Affair of Quartering Soldiers, report,

That the Governor having been pleased to appoint this Day at Half after Twelve o'Clock for the Conference, they had waited upon him accordingly, and found present *Robert Stretell*, *Benjamin Shoemaker*, *Richard Peters*, *John Mifflin* and *Benjamin Chew*, Esquires, Members of the Governor's Council.

That the Committee had opened the Conference, by assuring the Governor of the good Dispositions of the House towards the Army, and their Intention that sufficient Quarters should be provided for them; but withal expressed the Concern it gave the House to hear, that his Honour had unnecessarily, as

they apprehended, issued Orders for Quartering them on private Houses by Force, and contrary to Law.

To which the Governor was pleased to answer, that he was informed the Quarters in the Public-houses were insufficient; that Beds were wanting for more than One Hundred Men.

The Committee then observed, That it was still the Opinion of the House, that the Public House-keepers of this City generally were able to provide what was necessary for the Number billeted on them; and if they did not comply with the Law, the Magistrates should do their Duty, and fine them, as the Law directed. That if some of them were too poor, others were more able, and the Proportions should be regulated.

The Governor was pleased to say, it was not his Business to enquire where the Fault lay; it was plain the Soldiers were not well quartered; and they must not suffer.

The Committee then took the Freedom to remind the Governor, that the House could only prepare Laws; they had no Power to execute them. That they had provided a good Law for this Purpose, and the Governor had passed it. That the executive Powers of Government were vested in him. His Honour being pleased to say, it could not be expected of him, to go from House to House to see how the Law was executed; the Committee answered,

That the Complaint being laid before his Honour, Orders might properly issue from him to the Magistrates (who are under his Direction) to enquire into and redress it, by exacting a due Observance of the Law, and enforcing it by levying the Fines.

The Committee then took Notice, that no Soldiers had yet been billeted on the Taverns in the Suburbs closely adjoining to the City, where there were many very capable of receiving them: That the neighbouring Towns could also accommodate a great Number.

The Governor replied, that the Quarters were demanded in the City, and it was his Duty to see the Orders executed; that if the Inhabitants thought it unequal, or a Hardship, they might apply to Lord *Loudoun*.

The Committee answered, that it were to be wished the Governor would consider himself somewhat more in his Civil Capacity as Governor of the Province. We expected of him, that he would be the immediate Father and Protector of the People, and if any Orders he received would in their Consequences be grievous to the People, he would represent the Matter properly in our Behalf: That if an Application to

Lord *Loudoun*, to redress any Grievance, was necessary, we conceived it ought to be made not directly, but through the Governor, and that to do otherwise, would be inconsistent with the Respect due to the Governor. That we did request he would accordingly apply for Orders to quarter on the neighbouring Towns any farther Troops that might arrive here, more than our Public-houses could well accommodate.

The Governor was pleased to say, he would do so when General *Webb* arrived, for he thought it reasonable.

The Committee desired the Governor would be pleased to inform us, if any further or other Provision ought to be made for Soldiers Quartering, than what was mentioned in the Act of Parliament.

His Honour was pleased to say, that he knew of none; and that he had answered that Point in a Message he intended to send to the House this Day; which Message he held in his Hand.

The Committee then asked, Whether any further Provision ought to be made for Quartering the Officers, than what the Act of Parliament required?

The Governor answered, None that he knew of. But afterwards mentioned something of Money given them in *Flanders*, by the Name of *Slope-Gelt*; though he did not explain it, or seem to insist on it.

It was asked, What was to be understood by Quartering being extended further in Time of War, than in Time of Peace.

The Governor answered, He knew not, unless it was Quartering on Private Houses.

The Governor added, That before he left *England*, Complaint was made, that the Public-houses at *Canterbury* were oppressed by too great a Number of Troops quartered on them, when the Invasion was apprehended, and it was proposed in Parliament to make them some Satisfaction by a Sum of Money, but he knew not whether it was done.

The Committee replied, That in that Case the Parliament must have had the Grounds of Complaint laid before them, and been satisfied they were just. That no Complaint had ever been made to the House by our Tavern-keepers, though this same Law had been a Year in Use among us, before it was at this Time again re-enacted. That the House, on the Remonstrance of the Mayor and Aldermen, had required an Account of the Billeting in order to satisfy themselves whether there was Cause of Complaint, but had not yet obtained it.

The Governor farther said, That in Time of War, and in Cases of Necessity, it was usual in *England* to quarter Soldiers on private Houses, and instanced *Carlisle*. That it was done in *Scotland*, in the Time of the late Rebellion, notwithstanding the Law. That the Inhabitants of *Westminster* and *Newcastle* had at that Time voluntarily offered to quarter a great Number of Soldiers.

It was answered, That in Cases of Necessity, there was no Doubt but the Inhabitants of this Province would cheerfully submit to it; but such Necessity did not appear to us; since there was Room enough in the Public-houses of the Suburbs, and neighbouring Towns, and other Towns in the Province, for much greater Numbers than Quarters had yet been demanded for. That, where it was voluntarily offered, Provision might be made to render it easy; but where Force was used, it was very different, as Families might be taken unprovided.

The Governor replied, That the General was the proper Judge of such Necessity; and the General thought it necessary to have the Soldiers quartered near together.

We replied, We were confident the General had no Inclination to oppress any of his Majesty's good Subjects; but if Necessity warranted Quartering on private Houses by Force, and contrary to Law; and Military Officers were the only Judges of that Necessity, they might say it was necessary to quarter the whole Army, not only in one City, but in one Square, or one Street; and thereby harrass the Inhabitants excessively. That the People of this Province were as good and as loyal Subjects as any in the King's Dominions, and as well affected to the Soldiery: That we had evinced this by doing more (as we conceived) at our own Expence, for the Army since they arrived in *America*, than any other Province whatever: That we hoped no Measures would be taken to create Differences between the Soldiery and the People, or to render the King's Service dis-tasteful to those who had at present an hearty Affection to it: And further, that the Governor would listen to no Insinuations, nor be prevailed on to make any Representations of us to the contrary.

The Governor was pleased to say, he should represent nothing but Facts.

A Report of the Surgeons of the Hospital, that the sick Soldiers in the Taverns were badly accommodated, so that their Lives were in Danger, and the Health of the Inhabitants might be affected by the Spreading of their Distempers, being read by the Secretary;

The Committee mentioned, That an Hospital was ordered at the Province Expence for the Soldiers.

The Governor said, we had done it at last with an ill Grace.

His Honour was then reminded by one of the Committee, That when the Commissioners, on the first Application for an Hospital, had enquired of him what was the Custom in *England*, in that Particular? he was pleased to answer, It was the Custom for each Town or Corporation where Troops were quartered, to provide an Hospital at the Expence of the Town or City. That the Commissioners, therefore, as the Province Money in their Hands began to run low, left that Matter to the Corporation of *Philadelphia*, who had Money in Bank, more than sufficient for that Purpose. But the Corporation declining it, the House recommended it to the Commissioners, who had ordered it.

The Governor answered, It was the Custom in *England*, but the Corporations were not obliged to it.—Though when they refused it, it was not well taken.

This the Committee report as the Substance of what passed at the Conference, to the best of their Remembrance.”

The Governor, by the Secretary, sent down to the House a Message in Writing, mentioned in the foregoing Report, as prepared before the Conference, which was read, and is as follows, *viz.*

GENTLEMEN,

‘A GREAT deal might be said in Answer to the Message of Yesterday, which I chuse to decline out of Respect to the Assembly. The King’s Ministers are the best Judges of these Proceedings, to whom they will be referred.

‘Though Moderation is most agreeable to me, there might have been a Governor who would have told you, the whole Tenor of that Message was indecent, frivolous and evasive. That the Reception of his Majesty’s Troops in this City shews Want of Humanity and Gratitude; for you will please to remember, that they were raised by Parliament for the Defence of these Colonies.

‘For my Part, Gentlemen, I shall always avoid Disputes; but am determined to do my Duty to my King and Country.

‘No other Necessaries are required for the Soldiers than what are specified in the Act.

‘The Gentlemen of the Assembly who have been so long in Town, must know, or might easily have been informed of the State of the Public-houses; however, I now acquaint you, that Sixty-two Beds are actually wanted for One Hun-

dred and Twenty-four Men, who lie upon Straw, and Quarters for the Recruits, who arrive every Day.

Monday, Twelve o'Clock,

Dec. 20, 1756.

WILLIAM DENNY."

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 21, 1756.

The Message to the Governor of the Nineteenth Instant, (recapitulating what had passed between him and the House relating to the Quartering of Soldiers in this City) the Report of the Committee appointed to confer with the Governor thereupon, and his Honour's Answer to the before-mentioned Message, were severally read, and considered; and, after some Time spent therein,

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor, and deliver the following Message, *viz.*

May it please your HONOUR,

HAVING equal Respect for the Governor, we shall say but little in Answer to your Honour's Message of Yesterday.

We are contented that the King's Ministers should judge of these Proceedings; and that the World should judge of the Decency, &c. of our last Message.

Inhumanity and Ingratitude are heavy Charges, but we think by no Means applicable to the People of this Province.

We, likewise, are determined, if possible, to avoid Disputes with the Governor, and to do our Duty to our King and Country; and when it shall be made appear to us, that the Public House-keepers are not able to provide sufficient Quartering, we shall take proper Measures to supply the Deficiency.

And since the Governor assures us, that no other Necessaries are required for the Soldiers than what are specified in the Act, we hope the same Law which the Wisdom of Parliament has provided, will answer all the Purposes here, whenever the Governor shall think fit to enforce its Execution.

December 21, 1756.

Signed by Order of the House,

A. M.

ISAAC NORRIS, Speaker.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same, according to Order.

The Order of the Day being read,

The House resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising

the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair; and Mr. *Leech* reported, that he was directed by the Committee to move that they may have Leave to sit again.

Resolved, That this House will, To-morrow Afternoon, resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, which was read, and is as follows, *viz.*

GENTLEMEN,

'THE Magistrates, at my repeated Instances, with the Quarter-Master of the Troops, have been, and are still inspecting the Public-houses, and settling the Quarters; and as soon as I shall receive their Return, I will lay it before you. I am glad to find you have at length agreed to take proper Measures to supply the Deficiency in Case the Public-houses are not able to provide Quarters for the Number of Officers and Men demanded.

'That you may not mistake me, when I say no other Necessaries are required for the Soldiers than what are specified in the Act of Parliament, which is meant only in their Quarters, and in Time of Peace, I think it proper to mention the several Provisions to be made, respecting these Articles, which his Majesty moreover requires, your Mother Country expects, and Lord *Loudoun* has demanded, in several Letters laid before you; namely, *That you do provide for all such Charges as arise from furnishing Quarters, and Necessaries allowed in Quarters by Act of Parliament, in furnishing Carriages, Sloops, and all other necessary Means of Conveyance for his Majesty's Troops, whenever such Troops be stationed within, or shall be marching through, this Province;—and likewise Lodging and such other Necessaries as are furnished in Quarters in Great-Britain in Time of War.*

'I am pleased to hear that a Guard-room, Store-house and Hospital are already provided.

'If any Thing further should be demanded by Lord *Loudoun*, I shall immediately acquaint you with it.

December 21, 1756

WILLIAM DENNY."

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 22, 1756.

The Governor's Message of Yesternight was again read, and considered; and, after some Time spent therein,

Ordered, That Mr. *Pearne*, Mr. *Franklin*, Mr. *Smith*, Mr. *Hunt*, Mr. *James Wright*, Mr. *M'Connaughy* and Mr. *Allen* be a Committee to consider the said Message, and report thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Order of the Day being read,

The House resolved itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty; and, after some Time spent therein, Mr. Speaker resumed the Chair; and Mr. *Leech* reported from the Committee, that they had gone through the Matters referred to them, and come to two Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 23, 1756.

Mr. *Leech* (according to Order) reported from the Committee of the whole House, to whom it was referred to consider of Ways and Means for raising the Supply granted to his Majesty, the Resolutions which they had directed him to report to the House; which he read in his Place, and afterwards delivered in at the Table; where the same were read, and agreed to by the House, and are as follows, *viz.*

Resolved, That for raising the Sum of *One Hundred Thousand Pounds*, granted to his Majesty for the Defence of this Province, a Tax be laid and levied on all Estates, real and personal, and Taxables within the same, sufficient to raise the said Sum in one Year.

Resolved, That the Method of assessing and levying the said Tax be according to the Method and Way of raising County Rates and Levies, with such Alterations as may be thought proper by the House, for the better and more equal assessing the same.

Then the House adjourned to Three o'Clock, *P. M.*

The House went upon the Consideration of the Alterations necessary to be made in the County Rate and Levy Act, for the better and more equal assessing the Estates within this Province; and, after some Time spent therein, the Question was put, Whether the Constables should be obliged to leave at each House, in their respective Townships, a printed Paper, containing Columns headed for every Article liable to be taxed by the County Rate and Levy Act, and such other Articles

as the House may hereafter add, for the several Persons liable to Taxation, to set down under each Head the Quantity they possess thereof, and sign the same with their Names; in order that the said Papers be delivered by the Constables to the Commissioners and Assessors? *Past in the Negative.*

Resolved, That a Person in each Township be chosen, by the Inhabitants thereof, to assist the Constable in making Returns of the Property possessed by each Taxable.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 24, 1756.

The House resumed the Consideration of the Alterations necessary to be made in the County Rate and Levy Act, for the better and more equal assessing the Estates within this Province; and, after some Time spent therein,

Resolved, That the Assistants to the Constables be under the same Qualifications as the Constables, and have like Powers in enquiring into the Estates, and making the Returns to the Commissioners and Assessors; and that the said Assistants shall attend the Assessors at the Time or Times of assessing or rating the respective Townships or Wards for which they were chosen, in order to answer such Questions as shall be asked of them relating to the said Returns and Discharge of their respective Duties.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Franklin*, Mr. *Masters*, Mr. *Walker*, Mr. *Hunt*, Mr. *Carpenter*, Mr. *McConaughy* and Mr. *West* be a Committee to prepare and bring in a Bill for granting a Supply to his Majesty, agreeable to the several Resolutions of the House thereupon.

The Committee appointed to consider the Governor's last Message, relating to the Quartering of Soldiers, made a Report thereon in Writing, which was read, and is as follows, *viz.*

THE Committee have considered the Governor's Message of the Twenty-first Instant, and are of Opinion, that in the first Paragraph, where it is said the Governor is glad to find the House have *at length* agreed to take proper Measures, &c. there is some Appearance of undue Reflection on the House, as if we had delayed or refused to take proper Measures to supply the Deficiency, in Case the Public-houses were not able to provide the Quarters; when the Truth is, That the House were always willing to do it, but were never, nor are yet satisfied that there could be such Deficiency, if the Law was properly executed.

The Committee farther observe, that the second Paragraph seems to insinuate, that notwithstanding *His Majesty requires, our Mother Country expects, and Lord Loudoun has demanded, in several Letters laid before us*, "that we do provide for all such Charges as arise from furnishing Quarters, and Necessaries allowed in Quarters, by Act of Parliament; in furnishing Carriages, Sloops, and all other necessary Means of Conveyance for his Majesty's Troops, whenever such Troops be stationed within, or shall be marching through, this Province; and likewise Lodging, and such other Necessaries as are furnished in Quarters in *Great-Britain* in Time of War;" yet we had taken no Notice of such Expectations and Demands, nor made any Provision accordingly; whereas the Truth is, That both this and the last Assembly provided "for all such Charges as arise from furnishing Quarters, and the Necessaries allowed in Quarters in the Act of Parliament," by a Bill extending hither that very Act, which received the Governor's Assent: That from the very first Demand the Assembly of this Province provided for furnishing Carriages, and other necessary Means of Conveyance for the King's Troops, by putting Money into the Hands of Committees, or into the Hands of the Governor and Commissioners for the King's Use, Part of which has been applied to those Purposes, whenever any Demand has been made for Carriages; and no Account of this Kind was ever refused Payment. A considerable Sum still remains in the Governor's and Commissioners Hands, subject to such Demands; and the Supply Bill, now under the Consideration of the House, will make a further Provision: To which we may add, that in the last *Sixty Thousand Pound* Bill the Sum of *Ten Thousand Pounds* was subjected to the Orders of Lord *Loudoun*, for any Part of the Service his Lordship should find necessary, but the House was obliged to strike it out by the Governor's refusing to pass the Bill for a larger Sum than *Thirty Thousand Pounds*.

The Committee farther observe, That the Distinction between the Necessaries furnished in Quarters *in Time of Peace*, and those furnished *in Time of War*, is not yet understood by the House, nor have they been able to obtain from the Governor any Explanation of it, though they applied to his Honour for such Explanation, both by a written Message, and by a Committee appointed expressly to confer with his Honour, "that this Matter might be fully understood." The House, by extending the Act of Parliament relating to Quarters, have provided for all that they understood to be nec-

essary in that Respect, and for all that the Governor informed them was necessary. His Honour now is pleased to say, the Act of Parliament relates only to a *Time of Peace*. Whenever he shall be pleased to let us know what further Necessaries are required in Quarters *in Time of War*, the House will, no Doubt, consider that Matter, and do what shall appear reasonable.

As the Circumstances of the present Time call rather for Action than Altercation, the Committee are of Opinion, the House would do well to make no Answer to the Message in Question, but show their Disposition to Peace by their Silence, and apply themselves diligently to raising the necessary Supplies for his Majesty's Service, and to perfecting the Militia Bill now under their Consideration.—This, their Opinion, however, is humbly submitted to the House."

And the House taking the foregoing Report into Consideration, approved thereof; and

Resolved, That this House will, in order to prevent, as much as in them lies, any Disputes with the Governor at this critical Juncture, take no further Notice of his last Message relating to the Quartering of Soldiers or of his Honour's extraordinary Conduct in that Affair.

Upon Motion made,

Ordered, That Mr. Leech, Mr. Smith, Mr. Morton, Mr. Carpenter, Mr. M'Connaughy, Mr. West and Mr. Yorke do procure and bring to the House, at their next Sitting, the Duplicates of the Taxables in the several Counties they represent; and further, that they be a Committee to enquire into the Reasons why the Tax for raising the *Fifty-five Thousand Pounds*, granted to the King's Use, has not yet been laid in some of the Back Counties, and report thereon to the House.

Then the House adjourned to *Monday*, the Third Day of *January* next.

January 3, 1757.

THE House met, pursuant to their Adjournment.

Mr. Speaker laid before the House a Message he had received from the Governor just after the House had adjourned; which was read, and is as follows, *viz.*

GENTLEMEN,

'THE *Conestogoe Indians* have acquainted me, that they want Clothes, and desire they may have a further Supply;

which you will be pleased to order may be sent them forth-with, that they may not suffer in this severe Season.

Dec. 24, 1756.

WILLIAM DENNY."

A Petition from *Philip Syng* and *Jacob Cooper*, two of the Commissioners for the County of *Philadelphia*, was presented to the House and read, setting forth, that the Petitioners were elected Commissioners by the Freemen of the County of *Philadelphia*, by Virtue of the County Levy Act, to perform such Duties as are therein directed, and found more Trouble than usual in raising the last County Tax, occasioned, as they apprehend, by the People foreseeing heavy Taxes would ensue, great Numbers were anxious to get themselves rated as low as possible, in Hopes that might be a Rule for other Taxes: That before the Petitioners could complete the Collection of the aforsaid Tax, they were obliged, under penalty of *Twenty Pounds*, to raise a yearly Tax of *Six-pence* in the *Pound* for the King's Use, which they chearfully undertook to perform, though much to their Disadvantage, and will do their best Endeavor to accomplish: That the executing the last Act is attended with much more Trouble than the former, the Applications for Abatement encrease, and although double the Time is allowed for Appeals than heretofore, the Petitioners are harrassed both Abroad and at Home to hear the Complaints: That they have been obliged to cause the Goods of many to be taken by Distress, and sold, raise Accounts for each of them, settle the Charges, and direct what Balance shall be returned: That the Office of Commissioner is attended with much more Trouble in this County than any other, by Reason of the City being included; and the Petitioners have Forty-six Collectors to settle with, and rectify their Duplicates, every Tax: That the Petitioners are informed this House purpose to prepare a Bill for a yet greater Tax on the Estates and Inhabitants of this Province, and that the Commissioners of the several Counties are to enforce the Collection thereof:— That the Petitioners find, by Experience, the executing the two before mentioned Acts takes so much of their Time, that they cannot, without Prejudice to themselves and Families, serve as Commissioners to the Bill they are informed is now under Consideration: The Petitioners therefore pray this House would not impose any further Burden upon them, but to appoint other Commissioners for that particular Act.

Ordered to lie on the Table.

A Petition from divers Inn-keepers, Tavern-keepers, Victuallers, Ale-house Keepers, and Retailers of spirituous Liquors

by License, Inhabitants of the City of *Philadelphia*, was presented to the House and read, setting forth, that the present Billets, issued for quartering Soldiers only in this City, greatly injure and distress the Petitioners; that the major Part of the Petitioners are not able to bear the Expense thereof, having but very few among them whose Houses, Beds, and Fire-wood are capable sufficiently to accommodate the Soldiers now billeted on them, and if compelled thereto, will consequently be impoverished and ruined, with their Wives and Children; the Petitioners therefore pray, that this House would take the Premises into their serious Consideration, and grant them such Relief as the House in their Wisdom shall judge most proper.

Ordered to lie on the Table.

Mr. *Morton* brought to the House an Account from the Clerk of the Commissioners for the County of *Chester*, of the Taxes laid by them in the said County, in Pursuance of the Act for granting *Sixty Thousand Pounds* to the King's Use; which was read, and ordered to lie on the Table for the Perusal of the Members.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 4, 1757.

The Commissioners for disposing of the *Thirty Thousand Pounds* granted to the King's Use, laid before the House, for their Consideration, a Letter they had received from the Governor, which was read, and is as follows, *viz.*

GENTLEMEN,

Philadelphia, December 29, 1756.

Mr. *Croghan*, who has a Deputation from Sir *William Johnson* for this Part of the Northern District, has proposed, for the immediate Service of this and the other Colonies, to send one or two Messengers to the *Susquehanna Indians*, at *Otsangingo*, and to *Teedyuscung*, at *Diahogo*, to come and meet him at *Harris's*, where he will endeavor to engage some of the most faithful and discreet of them to go to the several *Shawanese* and *Delaware Tribes* of the *Ohio Indians*, in order to sound their Inclinations with respect to this Province; and if they shall be found well disposed, to invite them to a Conference in the Spring at some Place, to be left to their Choice.

As Money will be wanted for this Service, I recommend it to you to allot a Part out of the Remainder of the *Thirty Thousand Pounds* to defray the Expences which will arise by

these Messages, and the Meeting at *Harris's*. I think this, which requires immediate Dispatch, is of so much Consequence as to merit a Preference to any other Matters. It is necessary that this Affair should be kept secret. I am,
Gentlemen, Your most obedient humble Servant,

WILLIAM DENNY."

And the House taking the foregoing Letter into Consideration,

Ordered, That Mr. *Galloway* and Mr. *West* wait upon the Governor, and acquaint him, that the House desire he would be pleased to lay before them the Deputation mentioned in the said Letter, and any Instructions he might have that were given to *George Croghan*.

A Petition from *Mary Edwards*, and another from *David Llewellyn*, both of the County of *Chester*, complaining of sundry unjust and illegal Practices of *William Moore*, Esq; of the said County, and praying Redress, was presented to the House and read, and

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to give them a Copy of Sir *William Johnson's* Instructions to *George Croghan*; also a Letter from said *Croghan* to his Honour; which they delivered in at the Table.

And the said Instructions and Letter were read, and are as follow, *viz.*

SIR,

Fort Johnson, November 24, 1756.

YOU will proceed to *Philadelphia* as soon as you can, or to any Part of that Province where the Good of his Majesty's *Indian* Interest may require.

You are to endeavour all in your Power to find out the Disposition of such *Indians* as are still living in them Parts, and try all Means to convince them it is their Interest to continue Friends to the *English* and the *Six Nations*.

If you find them well inclined, then you will encourage them to come and join his Majesty's Arms here, or any where else they may be wanted next Spring.

You will also enquire into the Cause of the *Delawares* and *Shawanese* Behaviour to their Brethren, the *English*, in them Parts, and assure them, that if they will come, and let me know wherein they are injured, I will endeavour to have Justice done them, so that that unhappy Difference may be settled.

In Case you can meet with the old *Onondago Indian*, who lives near *Shamokin*, I would have you employ him, and send him either to the general Meeting, soon to be held at *Onondago*, there to learn what passes at that Council, or to the *Shaw-anese* and *Six Nations*, living at the *Ohio*, to know their Resolutions; and give him in Charge to lose no Time, so that I may know as soon as possible what he learns from them. You may assure him he shall be well rewarded, provided he exerts himself properly on this Occasion.—I wish you a good Journey, and am, *Sir*,

Your most humble Servant,

To George Croghan, Esq; Deputy Agent WILLIAM JOHNSON."
of Indian Affairs for the Northern
District.

A true Copy,

RICHARD PETERS.

SIR,

Philadelphia, December 13, 1756.

ON Perusal of the late Treaty held at *Easton*, I find that the *Indians* made a Complaint of their being defrauded out of some of their Lands; upon which the Commissioners acquainting your Honour, that more Goods were brought than could be conveniently disposed of, it was agreed by you to propose to them immediate Satisfaction, which they refused, alleging they were not the Persons who had Power to receive it; and as they could not then finish the great Work they came about, that they intended to come in the Spring and finish it.—To which your Honour was pleased to answer, you would be glad to meet them at any Time. From which I am of Opinion, that the Government cannot avoid giving the *Indians* a Meeting to settle this or any other Difference that subsists between them, as I think it will be for the Good of his Majesty's Service to have these Affairs speedily accommodated; and am also of Opinion, this Meeting ought to be held before the First of *March*; for it is probable, if it should be put off longer, it may impede his Majesty's Service, as the *Indians* may be called together in the Spring by Sir *William Johnson*, to join the Forces under the Command of his Excellency Lord *Loudoun*. And as I have a Deputation from Sir *William Johnson* for the Transacting of *Indian Affairs* here, I assure your Honour, that I will do every Thing in my Power to settle, in an amicable Manner, those Differences, and in the mean Time let Sir *William Johnson* know that the *Indians* are to meet here, and have his further Instructions on that Head.—I am of Opinion, if proper Steps be taken, that some of the *Ohio Indians* (who are the proper *Indians*

to settle those Affairs with) may be brought to this Meeting. I am, with Respect,

Your Honour's most obedient Servant,

GEORGE CROGHAN."

The Committee appointed to prepare a Draught of a Bill for forming and regulating the Militia within this Province, reported the same to the House; and it was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 5, 1757.

Mr. *Smith* laid before the House the Commissioners List of Taxes laid in the County of *Bucks*, and the same was ordered to lie on the Table for the Perusal of the Members.

A Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, for the Defence of this his Majesty's Colony, by a Tax on all Estates, real and personal, and Taxables within this Province, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

The Letter from the Governor to the Commissioners concerning *George Croghan's* Proposal, with the Letter to the Governor from said *Croghan*, and Sir *William Johnson's* Instructions, were again read, and considered; and, after some Time spent therein, the same were referred to farther Consideration: And Mr. Speaker was desired in the mean Time to speak to *George Croghan*, concerning his Intentions of sending Messages to the *Indians*, that the House may understand what is expected of them on that Account.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

January 6, 1757.

Mr. *Carpenter* laid before the House the Duplicates of the Taxes laid in the County of *Lancaster*; and the same were ordered to lie on the Table for the Perusal of the Members.

The Committee to whom the Supplementary Bill to the Act, entituled, *An Act for regulating and continuing the Nightly Watch*, &c. was committed for Amendment, reported the same to the House; and it was read, with the Amendments, the first time, and ordered a second Reading.

Mr. Speaker reported, that he had had some Conversation with *George Croghan*, and found that what he expected from

this Government was, that they would be at the Expence of sending some Messengers to *Diahogo*, to hasten the Meeting of the *Indians* intended to be held at *Easton*, in Pursuance of the late Conference with *Teedyuscung*.—And the House taking the same into Consideration, after some Time spent therein,

Resolved, That this House will provide for the Expence of sending Messengers to *Diahogo*, in order to hasten the *Indians* down to the intended Conference to be held at *Easton* the next Spring.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Baynton* and Mr. *West* wait upon the Governor, and acquaint him, that the House having considered the Letter to his Honour from *George Croghan*, Esq; Deputy Agent of *Indian* Affairs for the Northern District, have resolved to provide for the Expence of his sending Messengers to *Diahogo*, to hasten *Teedyuscung* and the other *Indians* down to the Conference, which they, at their last Meeting with the Governor at *Easton*, did promise to hold in the Spring, for the Settlement of their Disputes with this Province.

A Bill for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of the Province, and for repealing the Act of General Assembly passed in the present Reign for the same Purposes, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. was read the second time, and, after a considerable Debate thereupon, the same was referred to farther Consideration.

The Gentlemen return and report, that they had delivered the Message of the House according to Order; and that the Governor was pleased to say, that he was glad the House had made Provision for bearing the Expence of sending Messengers to *Diahogo*, which he looked upon to be a Matter of great Importance, and that he would acquaint Mr. *Croghan* with it immediately.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 7, 1757.

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 8, 1757.

An Account from *James Whitehead*, for keeping and maintaining two *French* Deserters, committed to the Workhouse by Order of the late Governor, amounting to *Twenty-eight Pounds One Shilling and Six-pence*, was laid before the House, and read,

The Bill for binding out and settling such of the Inhabitants of *Nova-Scotia*, imported into this Province, as are under Age, and for maintaining the Aged, Sick and Maimed, at the Charge of this Province, was read the second time, and debated; and, after some Time spent therein, it was ordered to be transcribed for a third Reading.

Then the House adjourned to next *Monday*, at Four o'Clock in the Afternoon.

January 10, 1757.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

January 11, 1757.

The Bill entituled, *An Act for binding out and settling such of the Inhabitants of Nova-Scotia imported into this Province, as are under Age; and for maintaining the Aged, Sick and Maimed, at the Charge of this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That *Mr. Wayne* and *Mr. Carpenter*, wait upon the Governor with the same, and desire his Assent.

The Supplement to the Act, entituled, *An Act for regulating and continuing the Nightly Watch, &c.* was read a second time, and ordered to be transcribed for a third Reading.

The Gentlemen appointed to wait on the Governor with the Bill for binding out the Inhabitants of *Nova-Scotia*, &c. return and report, that they delivered the same according to Order; and that the Governor was pleased to say, he would give it all the Dispatch he could.

The Bill for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province, &c. was read a second time, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition of the Public House-Keepers of the City of *Philadelphia*, was again read and considered; and, after some Time spent therein,

Ordered, That Mr. *Baynton*, Mr. *Hughes*, Mr. *Franklin* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for the Relief of the Petitioners, by rendering the Burden of quartering Soldiers more equal on the Public Houses of this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 12, 1757.

The Bill entituled, *An Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province, and for repealing an Act of General Assembly, passed in the present Reign for the same Purposes*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Grubb* and Mr. *Yorke*, do carry up the same to the Governor for his Concurrence; and acquaint him, that as he formerly recommended it to the House to appoint a less Number to constitute a General Court-Martial, the House are willing, if his Honour continues in the same Sentiments, to take any Amendment he may have to propose on that Head into their Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor report, that they had delivered the Bill and Message of the House according to Order; and that the Governor was pleased to say, he would take the same into Consideration, and return an Answer to the House.

The Committee to whom the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds* was committed for Amendment, reported the same to the House, with sundry Alterations they had made therein; and the same was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 13, 1757.

The Bill, entituled, *A Supplement to the Act, entituled, An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of Philadelphia, and for raising of Money on the Inhabitants and Estates of the said City, for defraying the necessary Expences thereof*, being transcribed, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Roberdeau* and Mr. *Walker* do carry up the same to the Governor for his Concurrence, and acquaint him, that the House desire he would be pleased to give it all the Dispatch in his Power.

The Gentlemen return, and report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would take the Bill into his immediate Consideration, and let the House know his Result thereupon as soon as possible.

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. was read the second time; and, after some Debate thereupon, the same was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with the Amendments of the Committee thereto; and, after a considerable Debate thereon, the following Question was put, *viz.*

Will the House accept of the Amendment brought in by the Committee, concerning the Mode of taxing the Inhabitants of this Province, for raising the Sum of *One Hundred Thousand Pounds*, voted by this House? *Passed in the Negative.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 14, 1757.

A Petition from divers Inhabitants of *Chester County* was presented to the House, and read, setting forth, that they laboured under very great Inconveniences for several Years past, by Reason of the great Inequality in laying the Public Taxes, owing, as the Petitioners conceive, to the unjust Returns commonly made; that the Petitioners humbly conceive, that if three Freeholders were yearly chosen in each Township, to make a Return for the Inhabitants thereof, it would enable the Assessors to lay a more just and equal Tax; the Petitioners therefore pray, that this House would take the same into Consideration, &c. *Ordered to lie on the Table.*

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the same was referred to farther Consideration.

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, together with a Letter from the Lords

of Trade, dated *October 9, 1756*, which were read, and are as follow, *viz.*

GENTLEMEN,

'IN Obedience to his Majesty's Commands, I recommended to you, on the Nineteenth of *October* last, to prepare a Bill for an Embargo on Vessels carrying Provisions, under such Penalties as might render the same effectual. I have lately received a Letter from the Right Honourable the Lords Commissioners for Trade and Plantations, communicating his Majesty's further Orders to me, *That an Embargo be laid, during the King's Pleasure, upon all Ships and Vessels clearing out with Provisions from any Port or Place within this Government, except those which should be employed in carrying Provisions to any other of his Majesty's Colonies,*" &c. This Letter I now lay before you, and once more desire an Affair of this Importance may be no longer delayed. In the mean Time the Collector is ordered to take Care that his Majesty's Commands are punctually obeyed.

January 13, 1757.

WILLIAM DENNY."

"SIR,

Whitehall, October 9, 1756.

IT having been represented to his Majesty, that the several Islands and Colonies belonging to the *French*, in *America*, have, in Times of War, been frequently supplied with Provisions of various Kinds, by Means of the Trade carried on from his Majesty's Islands and Colonies to the Colonies and Settlements belonging to the *Dutch*, and other neutral Powers; it is his Majesty's Pleasure that you do forthwith, upon the Receipt of this Order, give immediate Directions that an Embargo be laid, during his Majesty's Pleasure, upon all Ships and Vessels clearing out with Provisions from any Port or Place within your Government, except those which shall be employed in carrying Provisions to any other of his Majesty's Colonies and Plantations; which Ships or Vessels are to be allowed to sail from Time to Time, provided that the Masters or Owners do, before they are permitted to take any Provisions on board, enter into Bonds (with two Sureties of known Residence there, and Ability to answer the Penalty) with the chief Officers of the Customs of the Ports or Places from whence such Ships or Vessels shall set sail, to the Value of *One Thousand Pounds*, if the Ship be of less Burthen than One Hundred Tons; and of the Sum of *Two Thousand Pounds*, if above that Burthen, that the Cargoes of such Ships or Vessels, the Particulars of which are to be expressed in the Bonds, shall not be landed in any other Ports or Places than such as belong to his Majesty, or are in Possession of his

Subjects; and that they will, within twelve Months after the Date thereof, the Danger of the Seas excepted, produce Certificates, under the Hands and Seals of the principal Officers of the Customs at such Ports or Places for which such Ships or Vessels cleared out, that the said Cargoes, expressing the Particulars thereof, have actually been landed there; and when there shall be Cause to suspect that such Certificates are false and counterfeit, you shall take especial Care that such Security be not cancelled, or vacated, until you shall have been informed from the said principal Officers of the Customs, that the Matter and Contents thereof are just and true; and in Case the Masters or Owners of such Ships or Vessels shall not produce the said Certificates within the Times limited, you are to attest the Copies of such Bonds, under your Hand and Seal, and to cause Prosecution thereof: And you are also to give Directions that no Person be admitted to be Security for another who has Bonds standing out undischarged, unless he be esteemed responsible for more than the Value of such Bonds.

And in order more fully to answer his Majesty's Intention of distressing the Enemy, and to render his Orders herein the more effectual, you are to take Care, in Case the Masters or Owners of any Ships or Vessels, having cleared out from the Colony under your Government, laden with Provisions for any of his Majesty's other Colonies or Islands, shall be detected in causing collusive Captures to be made of the Cargoes, that the severest Penalties be inflicted upon the Offenders which the Laws will in such Case allow of. We are,

Sir, your most obedient humble Servants,

DUNK HALIFAX,
ANDREW STONE,
JAMES OSWALD."

The Governor likewise sent down, by Mr. Secretary, the Bill for binding out and settling the *French* Neutrals, and the Bill for regulating the Soldiers in the Pay of the Province, with a proposed Amendment to each of them; which, Mr. Secretary said, if agreed to by the House, the Governor was ready to pass the said Bills into Laws, whenever the House should present them to him for that Purpose.

Mr. Secretary also brought down the Supplementary Bill to the Lamp and Watch Act, with a verbal Message, that the Governor was ready to pass the same into a Law, whenever the House should present it to him for that Purpose.

Ordered, That the said Bill be engrossed.

The Governor's proposed Amendment to the *French* Neutral

Bill, being read, was agreed to by the House, and the said Bill was ordered to be engrossed, as amended.

The Governor's proposed Amendment to the Bill for regulating the Provincial Soldiers, was read, and considered; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's proposed Amendment to the Bill for regulating the Officers and Soldiers in the Pay of the Province; and, after some Time spent therein,

Ordered, That Mr. *Hughes* and Mr. *West* wait upon the Governor with the said Bill, and acquaint him, that the House having considered his Honour's proposed Amendment to the Bill for regulating the Soldiers, are apprehensive that several Inconveniences may arise, should the said Amendment be agreed to as it stands, and therefore the House incline to adhere to the Bill; and that the said Gentlemen acquaint the Governor with the Particulars of the Objections that the House have to the said Amendment.

Then the House adjourned till Ten o'Clock To-morrow Morning.

January 15, 1757.

The Gentlemen appointed to wait upon the Governor report, that they had delivered the Bill and Message of the House, according to Order; and that the Governor was pleased to say, he would take the same into Consideration, and let the House know his Result thereupon.

The Bill for binding out the *French* Neutrals, being engrossed, was read, and compared at the Table.

The Governor, by Mr. Secretary, sent down to the House the Bill for regulating the Soldiers in the Pay of the Province, with a verbal Message, that he withdrew his proposed Amendment, and should be ready to pass the said Bill, with the others, into Laws, on *Tuesday* Morning next, at Twelve o'Clock.

Ordered, That the said Bill be engrossed.

The Petition from *Philip Syng* and *Jacob Cooper* was again read, and considered.

The House resumed the Consideration of the Supply Bill; and, after some Alterations made therein, the same was referred to farther Consideration.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

January 17, 1757.

The House met, pursuant to their Adjournment.

The Bill for regulating the Provincial Soldiers, and the Supplementary Bill to the Lamp and Watch Act, being engrossed, were read, and compared at the Table.

Ordered, That Mr. *Pearne* and Mr. *West* wait upon the Governor, and acquaint him, that the three Bills which he has agreed to pass are engrossed, and the House desire he would be pleased to appoint some of his Council to meet the said two Members, in order to compare the same with their Originals; and further, that they acquaint his Honour, that the House will wait upon him To-morrow, at the Time and Place he had been pleased to appoint, in order to enact them into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 18, 1757.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, that he would appoint two of his Council to meet the Members of the House to compare the engrossed Bills with their Originals this Morning.

A Bill to render the Burden of Quartering Soldiers more equal on the Public-houses of this Province, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

The Gentlemen appointed to meet the Members of Council, in order to compare the engrossed Bills with their Originals, report that they had done the same accordingly, and found them to agree.

Ordered, That Mr. *Pearne* and Mr. *West* do see the Great Seal affixed to the Laws after they are passed, and the same deposited in the Rolls Office.

A Message from the Governor by Mr. Secretary :

SIR,

"The Governor requires the Attendance of the House in the Council Chamber immediately, in order to pass into Laws the Bills which have been agreed upon."

Then Mr. Speaker, with the whole House, waited upon the Governor; and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor, who was pleased to give his Assent to the three following Bills, by enacting them into Laws, *viz.*

An ACT for binding out, and settling, such of the Inhabitants of Nova-Scotia, imported into this Province, as are under Age; and for maintaining the Aged, Sick and Maimed, at the Charge of the Province.

An ACT for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province; and for repealing the Act of General Assembly passed in the present Reign for the same Purposes. And,

A SUPPLEMENT to the Act, entitled, "An ACT for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of Philadelphia; and for raising of Money on the Inhabitants, and Estates of the said City, for defraying the necessary Expences thereof."

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to see the Great Seal affixed to the Laws after they were passed, and the said Laws deposited in the Rolls Office, report, that they had done the same, according to Order.

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 19, 1757.

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the same was referred to farther Consideration in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House again went upon the Consideration of the Supply Bill; and, after some Time spent therein, the Question was put, Whether the Constable should leave blank Lists of the several Particulars to be taxed, at the House of every Taxable in his Ward or Township, to be filled up and signed by the said Person, and returned to the Constable, in order to be laid before the Commissioners and Assessors.

Past in the Negative.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 20, 1757.

The House again resumed the Consideration of the Supply Bill; and, after some Time spent therein, the Question being

put, *Whether the Word [Yearly] should be struck out of the first Clause of the said Bill?* the same was

Resolved in the Affirmative.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Supply Bill; and, after some Time spent therein,

Resolved, That the Question be now put, *Whether the said Bill shall be ordered to be transcribed for a third Reading?*

And the said Question being accordingly put, it was

Resolved, That the said Bill be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 21, 1757.

The Bill to render the Burden of Quartering Soldiers more equal on the Public-houses of this Province, was read the second time, and debated; and, after some Time spent therein, it was, upon the Question being put,

Resolved, That only such Retailers of Liquors as are liable by Law to have Soldiers quartered on them within this Province should pay the additional Excise proposed to be laid by this Bill.

Then the House adjourned to Three o'Clock, P. M.

An Account from *John Ross*, of *Blue Rock*, for Provisions furnished the *Indians* at *Conestogoe*; also sundry Accounts from *Mr. James Wright*, of *Lancaster County*, for Cloathing and Provisions furnished the said *Indians*, were laid before the House, and read, and referred to the Committee of Accounts.

The Bill to render the Burden of Quartering Soldiers more equal on the Public-houses of this Province, was read the second time; and, after some Alterations made therein, the same was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 22, 1757.

The Bill, entitled, *An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds for the Defence of this Colony, and the Trade thereof, by a Tax on all the Estates real and personal, and Taxables, within this Province*, being transcribed, was read the third time, and a Rider being added thereto, by Order of the House, it was, after some Debate,

Resolved, That the Question be now put, Whether the said Bill shall pass?

And the Question being accordingly put,

Resolved, That the Bill do pass.

Ordered, That Mr. *Leech* and Mr. *Galloway* do carry up the same to the Governor for his Concurrence.

Then the House adjourned to next *Monday*, at Four o'Clock in the Afternoon.

January 24, 1757.

The House met, pursuant to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the Supply Bill, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would give it all the Dispatch in his Power.

Ordered, That Mr. *Pearne*, Mr. *Masters* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for collecting the Arrearages of the *Five Thousand Pounds* left unpaid by the Proprietaries of their Free Gift.

Ordered, That Mr. *Leech*, Mr. *Franklin*, Mr. *Walker*, Mr. *Gibbons*, Mr. *Webb* and Mr. *Yorke* be a Committee to bring in a Bill for striking a Sum of Paper Money, to discharge the Arrears due to the Soldiers, and other Debts contracted for the Defence of the Province, to be sunk by the first Monies that may arise from the Supply Bill now before the Governor.

The Bill, entitled, *An Act to render the Burden of Quartering Soldiers more equal on the Public-houses of this Province*, being transcribed, was read a third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Morton* carry up the same to the Governor for his Concurrence.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 25, 1757.

The Gentlemen appointed to carry up the Bill for rendering the Burden of Quartering Soldiers more equal on the Public-houses, report, that they had delivered the same, according to Order.

A Bill to empower the Collectors of the County of *Philadelphia* to collect and receive of and from the Proprietaries Receiver General, the Sum of *Two Thousand Eight Hundred and Forty Pounds Fifteen Shillings and Two-pence*, it being

the Residue of their Free Gift of *Five Thousand Pounds* towards the Defence of this Province, not yet paid, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

Resolved, That Mr. Fox be, and he is hereby appointed, one of the Superintendants of the State-house, in the Room of *Edward Warner*, deceased.

The Bill for forming and regulating the Militia within this Province was read the second time, and considered; and, after some Time spent therein, was referred to farther Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down to the House a Message in Writing, together with the Supply Bill; and the said Message being read, is as follows, *viz.*

GENTLEMEN,

'SOON after my Arrival to this Government, I received a Message from the Assembly, *requesting me to lay before them full Copies of such Proprietary Instructions as related to the Passing of Money Bills, that the Delays which had been occasioned by the not communicating such Instructions to them, till much Time had been spent in forming Bills, inconsistent with such Instructions, might thereby for the future be avoided.* I immediately furnished them with a Copy of all the Instructions given me on that Head, which I presume are entered on the Minutes of your House; and in a subsequent Message informed them, *I could not break through such Instructions, without risking both my Honour and Fortune.* In considering the Bill now before me, for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, by a Tax on all the Estates real and personal, and Taxables, within this Province, I am sorry to find it is in many Parts so repugnant to these Instructions, that I am under a Necessity of refusing my Assent to it. The Proprietaries are willing their Estates should be taxed in the Manner that appears to them to be reasonable, and agreeable to the Land-Tax Acts of Parliament in our Mother Country. I am not inclined to enter into any Dispute with you on the Subject, since it cannot be decided on this Side the Water, nor can I see what good End it can answer, as the Proprietaries have positively enjoined me not to pass any Bill that is against their Instruction. As his Majesty's Service, and the Defence of this Province, render it necessary to raise immediate Supplies, I must earnestly recommend it to you to frame such a Bill as it is in my Power to pass, consistent with my Honour and my

Engagements to the Proprietaries, which I am persuaded you will not desire me to violate. I have some Amendments to propose to particular Parts of the Bill now before me, which I shall communicate to you, as soon as I know whether you determine to prepare a new Bill, free from the Objection I have above mentioned.

January 25, 1757.

WILLIAM DENNY."

And the foregoing Message being again read and considered, *Ordered*, That Mr. *Hughes* and Mr. *Galloway* wait upon the Governor, and request that he would be pleased to explain the latter Part of his Message, the House being in Doubt whether it relates to the Supply Bill, or the Bill for rendering the Burden of Quartering Soldiers more equal on the Public House-keepers of this Province, which is now under his Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 26, 1757.

The Gentlemen appointed to wait upon the Governor with the Message of Yesternight, report, that they had delivered the same, according to Order; and that the Governor was pleased to say, that the latter Part of his Message of Yesternight, mentioning the Amendments he had to propose to the Bill before him, related to the Supply Bill sent down to the House; and he was surprised that the House should not understand it in that Sense.

Mr. Speaker's Paper of Authorities, relating to Money Bills; Governor *Morris's* List of Money Bills, which he said had been amended by former Governors; the Committee's Report thereon; the Proprietaries Instructions relating to Money Bills; and the Report of a Committee of the last Assembly thereupon, were severally read by Order.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message of Yesternight; and, after some Time spent therein, it was moved, that the whole House should wait upon the Governor, with the Speaker at their Head, and present to him the Money Bill once more, together with the following Remonstrance, *viz.*

To the Honourable WILLIAM DENNY, Esq; Lieutenant-Governor of the Province of Pennsylvania, &c.

The REMONSTRANCE of the GENERAL ASSEMBLY of the said Province, in Answer to the Governor's Message of *Tuesday*

last, containing his Refusal of the Supply Bill, because not drawn conformable to the Proprietary Instructions.

May it please your HONOUR,

THE Representatives of the Freemen of *Pennsylvania*, in General Assembly met, do hereby humbly remonstrate to your Honour,

That the Proprietaries professed Willingness to be taxed, mentioned by your Honour in your Message of *Tuesday* last, can be intended only to amuse and deceive their Superiors; since they have in their Instructions excepted all their Quit-rents, located unimproved Lands, Purchase Money at Interest, and in short so much of their vast Estate, as to reduce their Tax, as far as appears to us, below that of a common Farmer or Tradesman.

That though the Proprietaries Instructions are by no Means Laws in this Province, we have so far complied with them, as to confine the Sum given to be raised in one Year. And had we complied with them in the other Particulars, the Raising any Thing near the Sum required by the present Exigencies of the Province, would be absolutely impossible.

That the apparent Necessity of so large a Sum for his Majesty's Service, and the Defence of this his Province, founded upon the Governor's own Estimate, has obliged us to an Effort beyond our Strength, being assured that Hundreds of Families must be distressed to pay this Tax.

That we have, in the due Exercise of our just Rights by the Royal and Provincial Charters, and the Laws of this Province, and as an *English* Representative Body, framed this Bill, consistent with those Rights.

That the Bill is agreeable to Justice and Equity, with regard to the Proprietaries, and is not repugnant to the Laws of our Mother Country, but as nearly agreeable thereto as our different Circumstances will permit, nor is it contrary to any Royal Instruction whatever.

That great as the Sum is, and hard for this People to pay, we freely offer it to our gracious King for his Service, and the Defence of this his Colony from his Majesty's Enemies.

That the Proprietaries refusing to permit us to grant Money to the Crown, in this Time of War and imminent Danger to the Province, unless we will consent thus to exempt their Estates from the Tax, we conceive to be injurious to the Interests of the Crown, and tyrannical with regard to the People.

That we do farther humbly conceive, neither the Proprietaries nor any other Power on Earth ought to interfere between us and our Sovereign, either to modify or refuse our Free Gifts and Grants for his Majesty's Service.

That though the Governor may be under Obligations to the Proprietaries, we conceive he is under greater to the Crown, and to the People he is appointed to govern; to promote the Service of the former, preserve the Rights of the latter, and protect them from their cruel Enemies.

We do therefore, in the Name of our most gracious Sovereign, and in Behalf of the distressed People we represent, unanimously DEMAND it of the Governor, as our Right, that he give his Assent to the Bill we now present him, for granting to his Majesty *One Hundred Thousand Pounds* for the Defence of this Province (and, as it is a Money Bill, without Alteration or Amendment, any Instructions whatsoever from the Proprietaries notwithstanding) as he will answer to the Crown for all the Consequences of his Refusal at his Peril."

And the same being read and considered, was agreed to by the House, and ordered to be transcribed, that it may be presented to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 27, 1757.

The Remonstrance to the Governor being transcribed, was again read; and being signed by Mr. Speaker, by Order of the House,

Resolved, That the same be, with the Supply Bill, delivered to the Governor, by Mr. Speaker, and the whole House.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait upon the Governor, and acquaint him, that the House desire he would be pleased to appoint a Time and Place for them to wait upon his Honour with the Supply Bill, and a Remonstrance relating thereto.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen report, that they had delivered the Message of the House, according to Order; and that the Governor was pleased to say, he would be at the Council Chamber at Twelve o'Clock To-morrow Morning, in order to receive the House, with their Remonstrance.

Mr. Speaker, by the Leave of the House, brought in a Bill for the further Continuance of an Act of General Assembly of this Province, entituled, *An Act for the more easy Recovery of Legacies within this Province*, which was read the first time, and ordered a second Reading.

The House resumed the Consideration of the Militia Bill; and, after some Time spent therein, the same was referred to farther Consideration.

Upon Motion made,

Resolved, That the Clerk do attend every Morning at Half an Hour after Ten o'Clock at farthest, and give Notice to Mr. Speaker when there shall be a sufficient Number of Members met to make a House; and that if the Clerk shall not attend and give Notice as aforesaid, he shall be fined, unless he is prevented by being on the Business of the Public.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 28, 1757.

A Message from the Governor by Mr. Secretary:

"*SIR*,

"The Governor is now in the Council Chamber, ready to receive the House."

Then Mr. Speaker, with the whole House, waited upon his Honour; and being returned, Mr. Speaker resumed the Chair, and reported, That the House had waited upon the Governor in Council, and delivered the Remonstrance of the House; to which his Honour was pleased to make the following Answer, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

"THE same Reasons which induced me to refuse my Assent to this Bill, when it was presented before, still weigh with me, and determine me now again to reject it.

"I shall, however, keep the Bill, till I have taken a Copy of it, in order to lay it before his Majesty, with my Reasons for not passing it, and then return it.

"If the House desire an Exemplification of the Bill under the Great Seal, they may have it upon Application.

"The other Parts of your Remonstrance I shall take Time to consider of."

Ordered, That Mr. Galloway and Mr. Franklin wait upon the Governor, and acquaint him, that the House desire he would be pleased to cause the Great Seal to be affixed to an Exemplification of the Supply Bill, for the Use of the House; also, that his Honour would be pleased to favour the House with a Copy of those Reasons for not passing the said Bill, which he proposes to transmit to his Majesty.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen report, that they had delivered the Message of the House, according to Order; and that the Governor was pleased to say, that he would give Orders for the Great Seal to be affixed to an Exemplification of the Supply Bill, for the Use of the House; and that he would consider the Request of the House for a Copy of the Reasons of his Refusal of the said Bill, and let the House hear from him thereupon.

The House went upon the Consideration of the Governor's

Answer to the Remonstrance of the House; and, after some Time spent therein,

Resolved, N. C. D. That a Commissioner or Commissioners be appointed to go Home to *England*, in Behalf of the People of this Province, to solicit a Removal of the Grievances we labour under by Reason of Proprietary Instructions, &c.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 29, 1757.

Ordered, That Mr. *Denormandie* have Leave to be absent four Days of the next Week; and that Mr. *Morton*, Mr. *Car-penter* and Mr. *Webb* have Leave to be absent the Whole of next Week, on urgent Business.

The four Provincial Commissioners, Members of this House, who were appointed to attend the Governor at the late Conference with the *Indians* at *Easton*, presented a Paper to the House, which was read, and is as follows, *viz.*

WE, the Committee appointed to attend the Governor at the Conferences with the *Indians* at *Easton*, in *November* last, have perused the Copy of those Conferences, drawn up and signed by the Secretary, and laid before the House;

And as we apprehend it of Importance to the Province, that the Complaints made by the *Indians*, whether justly founded or not, should be fully represented, and their Sense of them understood, we think it necessary to observe to the House, that we conceive the Warmth and Earnestness with which they insisted on the Wrongs that had been done them in the Purchases of Land, are much too faintly expressed in this Account of the Conference. That we were not present at the palliating Hearsay Accounts of the Walking Purchase, said to be given the Governor by Mr. *Weiser* and Mr. *Peters*, on the Fourteenth of *November*; though by the concluding Paragraphs under that Date, it may seem as if we were: But we well remember, that the Transaction of that Walk was at *Easton* universally given up as unfair, and not to be defended, even from the Accounts of some of our own People, who were present at the Walking; even the Secretary, though he did say, that he *believed* Satisfaction was afterwards made the *Indians*, and that this was the only Instance in which any Foundation of Complaint had ever been given them, yet this he allowed was (in his own Words) *unworthy of any Government*. We would farther observe, that when *Teedyuscung* claimed the Lands, even those on which the Conferences were held, no Objection was made, that neither he, nor any with him, had any Right to them; nor did we ever understand his

Reason for not accepting Satisfaction to be as represented in the second Paragraph under *November 17*, for that "*the People* to whom the Land belonged were absent;"—but for that many of them were absent, and those who were absent had not impowered him to act for them in that Matter; but he would endeavour to bring them in the Spring.

The Offer of the Commissioners to furnish the Means of making the *Indians* immediate Satisfaction, not being fully related, we think it necessary to add, that the Reasons we gave the Governor for that Offer, were, 1. The Absence and great Distance of the Proprietaries, who being the sole Purchasers of Land from the *Indians* in this Province, ought, if the *Indians* were injured in such Purchases, alone to make the Satisfaction; but their Agents here had not the necessary Powers. 2. For that Promises [such being proposed] of enquiring into *Indian* Complaints, and doing them Right hereafter, had been so often made in other Governments, and so little observed, we imagined they could be of no Weight, and would rather be looked upon as a Denial of Justice; and therefore, we thought it better, as their Demands are seldom very high, to make them immediate Reparation for the Injuries they supposed they had received, and we would furnish the Goods, and risk the Proprietaries repaying their Value to the Province. The Secretary then told us, that he thought our Proposal very considerate and well-judged; that he was sure the Proprietaries would think themselves obliged to us, and repay the Money with Thanks: The Offer was accordingly made, but not accepted for the Reasons above-mentioned. We then waited upon the Governor in a Body, and acquainted his Honour, That, as we had made the Offer in Behalf of the Province, not from an Opinion that the Province ought to be at such Expence, but from the apparent immediate Necessity of the Thing, and on Account of the Proprietaries Absence as aforesaid; so now, since the final Settlement of the *Indians* Claims was postponed to the Spring, and there would be sufficient Time to write to the Proprietaries, and obtain their Orders to their Agents for the Payment of such Sums as should be found necessary, we looked on ourselves and the Province as totally disengaged from that Offer, and expected that the Proprietaries would be wrote to accordingly.

BENJAMIN FRANKLIN, JOSEPH FOX,
January 29, 1757. WILLIAM MASTERS, JOHN HUGHES."

Upon Motion made,

Resolved, N. C. D. That Mr. Speaker and Mr. *Franklin* be requested to go Home to *England*, as Commissioners, to solicit the Removal of our Grievances, occasioned by Proprietary Instructions, &c. And being accordingly requested thereto by the House, they desired some Time to consider thereof.

It being moved, that the House would be able to go through more Business, were they to meet but once a Day, and not adjourn at Noon, than by the Method they are in the Practice of at present;

Resolved, That this House will, during the next Week, make Trial of the Method proposed, and for that Purpose will meet at the Hour of Ten in the Morning, and sit till Three or Four o'Clock in the Afternoon.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

January 31, 1757.

There not being a sufficient Number met to make a House, the Members present adjourned to Ten o'Clock To-morrow Morning.

February 1, 1757.

A Quorum being met, the House went upon the Consideration of the Governor's Refusal of the Supply Bill; and, after some Time spent therein, it was

Resolved, That a new Bill be brought in for granting to his Majesty the Sum of *One Hundred Thousand Pounds* for the Defence of this Province and the Trade thereof, to be raised by a Tax on all Estates, real and personal, and Taxables, within this Province, (the Estates of the Honourable the Proprietaries only excepted) in the Manner prescribed by the Act now in Force for granting *Sixty Thousand Pounds* to the King's Use; and it is referred to Mr. *Baynton*, Mr. *Franklin*, Mr. *Owen* and Mr. *Gibbons*, to prepare and bring in the same.

Ordered, That the Committee of Accounts do make a Report to the House of the present State of the Funds of the General Loan-Office.

The Bill for the Continuance of the Act relating to Legacies, &c. was read the second time, and ordered to be transcribed for a third Reading.

The Bill for collecting the Arrearages of the Proprietaries Free Gift of *Five Thousand Pounds*, was read the second time; and, after some Time spent therein,

Ordered, That it be committed to the Committee appointed to bring in a new Supply Bill, for Alteration and Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 2, 1757.

Ordered, That the two *Indian* Conferences, lately held with the *Indians* at *Easton*, with the Report of the Committee attending the last of the said Conferences, be printed, and published as soon as conveniently may be.

A Supplement to the Act entitled, *An Act for granting the Sum of Sixty Thousand Pounds to the King's Use, and for striking Fifty-five Thousand Pounds thereof in Bills of Credit, and to provide a Fund for sinking the same*; and for granting to his Majesty the additional Sum of *One Hundred Thousand Pounds*, was brought in by the Committee appointed to prepare the same, and read the first and second time, by special Order; and, after some Alterations made therein, the same was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 3, 1757.

The Bill, entitled, *An Act for the further Continuance of an Act of General Assembly of this Province, entitled, An Act for the more easy Recovery of Legacies within this Province*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

The Bill, entitled, *A Supplement to the Act, entitled, An Act for granting the Sum of Sixty Thousand Pounds to the King's Use, and for striking Fifty-five Thousand Pounds thereof in Bills of Credit, and to provide a Fund for sinking the same*; and for granting to his Majesty the Additional Sum of *One Hundred Thousand Pounds*; being transcribed, and sundry Blanks which had been left therein being filled up, was read the third time.

Resolved, That the Bill do pass.

The Governor, by Mr. Secretary, sent down to the House the Bill for rendering the Burden of Quartering Soldiers more equal on the Public-houses of this Province, with a Paper containing five sundry proposed Amendments; which were read, and all of them, except the third, were agreed to by the House.

Ordered, That Mr. *Pearne* and Mr. *West* wait upon the Governor, and acquaint him, that the House have agreed to all of his proposed Amendments, except the third, and desire that he would be pleased to pass it as it now stands amended;

and further, that they deliver the Supply Bill, and the Bill for continuing the Act for the more easy Recovery of Legacies, and desire his Honour's Concurrence thereto.

Mr. Speaker and Mr. *Franklin*, being called upon by the House, to declare whether they would comply with the Request of the House in going Home to *England*, to solicit a Redress of our Grievances;

Mr. Speaker said, "That he returned the House all due Acknowledgments for their kind Opinion, and the high Trust reposed in him, by naming him with the worthy Member they had joined in the Commission they proposed, to solicit the Removal of our Grievances, occasioned by Proprietary Instructions, and the late Infractions of our Charters; but the Members must be sensible, that, in the present State of his Health, the Undertaking a Voyage to *England*, though attended with the most prosperous Success, could not be convenient to him at this Time; that from his Experience in the Public Business of the Province, he might probably be of more Service to the House here, under their present critical Circumstances: Nevertheless, he requested the Members would seriously consider in what Capacity they apprehended he could best serve them and the Province, without any Regard to himself or his private Affairs, and dispose of him accordingly, being resolved to prefer their deliberate Determination in this important Case to every other Consideration."

Mr. *Franklin* said, "That he esteemed the Nomination by the House to that Service as an high Honour, but that he thought, if the Speaker could be prevailed on to undertake it, his long Experience in our public Affairs, and great Knowledge and Abilities, would render the Addition of another unnecessary: That he held himself however in the Disposition of the House, and was ready to go whenever they should think fit to require his Service."

Resolved, That the unanimous Thanks of this House to Mr. Speaker and Mr. *Franklin*, for their ready Compliance with the Request of the House, be entered on the Minutes.

Resolved, That this House will make Provision for defraying the Expence that may attend their Voyage, and the Solicitation of the Affairs of the Province in *England*; and that Mr. *Franklin* do first go over.

Resolved, That *Benjamin Franklin*, Esq; be, and he is hereby appointed Agent of this Province, to solicit and transact the Affairs thereof in *Great-Britain*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 4, 1757.

The Gentlemen appointed to wait upon the Governor with the Bills which had passed the House report, that they had delivered the same, according to Order; and that the Governor was pleased to say, he would take them into his immediate Consideration.

The Letter from the Lords of Trade to the Governor relating to an Embargo, dated *October 9, 1756*, and the King's additional Instruction to the Governor on that Head, dated *July 5, 1756*, were again read, and considered.

The Bill for preventing the Exportation of Provisions, naval or warlike Stores, from this Province to any of the Dominions of the *French King*, or to any Port or Place in *America*, not in the Possession of the Subjects of his *Britannic Majesty*, was read the second time, Paragraph by Paragraph, and, after some Alterations made therein, the same was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 5, 1757.

The Bill entituled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to any of the Dominions of the French King, or to any Port or Place in America, not in the Possession of the Subjects of his Britannic Majesty*, being transcribed, was read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Denormandie* and Mr. *Hunt*, do carry up the same to the Governor for his Concurrence; and acquaint his Honour, that the House desire he would be pleased to recommend it to the Assembly of the Lower Counties to pass a Bill for the same Purpose, otherwise the good Intent of this Bill would be in a great Measure frustrated.

The House agreed to meet at the Hour of Ten in the Morning, and sit till Three or Four o'Clock in the Afternoon, during the Week ensuing.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

February 7, 1757.

The House met, pursuant to their Adjournment.

The Governor, by Mr. Secretary, sent down to the House the Bill for rendering the Burden of Quartering Soldiers more equal on the Public-houses of this Province, with the following Message in Writing, *viz.*

GENTLEMEN,

'I HAVE again attentively considered the Bill, entitled, *An Act to render the Burden of Quartering of Soldiers more equal on the Public-houses of this Province*, but cannot agree to pass it, unless you accede to the third Amendment, by which it was proposed to lay the Duty of *Two-pence per Gallon* generally upon all Liquors retailed within this Province, without confining it to the Public-houses only, and think it proper to inform you, that I am induced to adhere to that Amendment for the following Reasons.

'*First*, Unless the Duty is general, the Bill, which seems calculated for the Relief of Public House-keepers, and others on whom his Majesty's Soldiers are quartered, will be so far from answering the good Ends proposed by it, that it will involve them in new Distresses, it being evident that they must lose a great Share of their Business if Liquors can be purchased of other Retailers, who are not obliged to pay the additional Duty, at cheaper Rates than they, who must pay the Duty, can afford to sell.

'*Second*, If the Duty is confined to Liquors sold in Public-houses, it will fall greatly short of the Sum proposed by the Bill to be allowed to Public House-keepers for their Charge and Trouble in making Provision for such Soldiers as are quartered upon them. I flatter myself these Reasons will have Weight with you, and induce you to agree to the Amendment.

February 7, 1757.

WILLIAM DENNY."

And the said Message being read and considered,

Ordered, That Mr. *Hughes* and Mr. *Franklin* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 8, 1757.

The Gentlemen appointed to wait upon the Governor with the Bill for preventing the Exportation of Provisions, naval or warlike Stores, to the *French*, &c. report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he would take it into his immediate Consideration; and that he would likewise recommend it to the Assembly of the three Lower Counties to pass a Law for the same Purposes.

The Committee appointed to prepare a Draught of a Message to the Governor, in Answer to his Message of Yesternight,

reported the same to the House; and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

The House being informed, that there were sundry of the Neutral *French* without, who desired to be admitted, in order to present a Petition to the House, they were called in; and they then presented a Petition, of which the following is a literal Translation, *viz.*

To the Honourable Mr. NORRIS, Chief of the ASSEMBLY of Philadelphia, and to the other honourable Members of said Assembly.

GENTLEMEN,

PERMIT unfortunate Persons, loaded with the Weight of their Miseries, to take the necessary Steps to free themselves from the Burden, by imploring the Succour of those in whose Power it is to relieve them.

Pardon us, Gentlemen, if, under our present Misfortunes, we make bold to renew our Importunities; we follow in that the Advice of Jesus Christ, who assures us, that whosoever asketh receiveth, &c. Being convinced then of the Truth of these Words of our divine Saviour, we are under no Apprehension, but that by persevering in knocking, the Door will at length be opened unto us.

You are not unacquainted with our Misfortunes, which we beseech you again to take under your Consideration, and to give Attention to the Representations which we have already made, relating to our Right to those Lands granted us by his *Britannic* Majesty in *Nova Scotia*, of which we have been deprived: That is over and gone; our only Refuge now is in the Compassion and Charity you have hitherto manifested towards us, in furnishing us with the Necessaries of Life. But, alas, O sorrowful Change for us! the very Gentlemen who vouchsafed thus charitably to receive us, and preserve our Lives, will not now let us live, for they have brought us into a Condition worse than Death, in depriving us of a Part of ourselves, by the Act printed the 27th of *January*, 1757. O merciful Gentlemen, what Crime have these innocent Creatures been guilty of, that you should thus separate them from those who, after God, are Authors of their Lives? Being deprived of that Substance which God had granted us, permit us at least to live or die with our Children, and those of our deceased Brethren. Permit us, Gentlemen, to ask in what Quality we are here? Be pleased to tell us, whether we are Subjects, Prisoners, Slaves or Freemen? In our Opinion we are not Subjects, inasmuch

as it appears to us unparalleled, that his *Britannic* Majesty should ever oppress his Subjects in the Manner we have been oppressed.

Though we read that God has reduced his People under the hardest Captivity, as in *Egypt*, under *Pharaoh*, and in *Babylon*, under *Nebuchadnezzar*; yet we do not read that these Princes that thus oppressed them ever separated the Children from their Parents; and although History furnishes us with such strange Events, they ought, to Christian Princes, and Disciples of Jesus Christ, to be Examples rather to be wondered at than imitated.

If we are Criminals, we are ready to submit to the Punishment due to our Crimes; but to separate innocent Children, who have committed no Crime, from their Parents, appears contrary to the Precept of Jesus Christ, who tells us, that the Son shall not bear the Iniquity of the Father. Besides, every Superior ought to do Justice to his Subjects, whether in punishing them when guilty, or recompensing them when they have done well, and to condemn none unheard, notwithstanding which, we do not feel the Effects of this Maxim.

This is a convincing Proof of our not being in the Situation of Subjects, when the Governors of *Halifax*, viz. His Excellency *Edward Cornwallis*, *Peregrine Thomas Hopson* and Mr. *Charles Lawrence* proposed to us an Oath, different from that which we formerly had taken, they did not look upon us as Subjects; for Mr. *Lawrence*, in the Presence of his Majesty's Council, told us, that we were at Liberty to take or refuse the new Oath; and upon our asking in what the Oath he proposed to us consisted, he answered, that we must become *Englishmen*, to all Intents and Purposes, like him. From hence it appears, that we were not Subjects; and not having accepted the Oath, which would have made us such, we still remain as we were. He moreover told us, that since we would be *Frenchmen*, he made us Prisoners of War, and that he would transport us to our own Country. Neither can we be called Slaves, because Christians have never made a Trade of such as believe in Jesus Christ. We are not Free-men neither, seeing we cannot withdraw into the Country promised us. Perhaps we shall be told, that we are free in this Country, and that we may live here like others; but what Likelihood is there of subsisting in a Country, the Language of which is unknown to us. We then conclude ourselves Prisoners, for we must be something, or be reduced to a State of Non-existence. If we are then Prisoners, we ought to be looked upon as such, and that Provision be made for

us accordingly, without separating the Members from the respective Families.

But the Charges that the Province is obliged to be at for our Subsistence, are too heavy for the Inhabitants to bear; and in order to discharge them from that Burden, you have thought proper, Gentlemen, to make a Law, by which we are to be deprived of our Children; it appears to us very hard to be subjected to such a Law. The Province might much easier discharge its Subjects from that Burden, by giving us our Liberty, in causing us to be transported to our own Country, whereby the End of the Law will be answered, in taking off from the Province the Burden which it is oppressed with by our being kept among them. Besides, the Province of *Pennsylvania* is populous enough; besides, what Advantage can be expected by keeping an unfortunate People against their Will.

We have abandoned our Possessions only from the View of keeping our Children, wherein we have pursued our natural Rights; we must then conclude ourselves the most unhappy People that ever appeared, if, after having lost what God had given us, for the Subsistence of our Families, we see ourselves again forced to tear our Children from the Arms of our tender Wives. In the sorrowful Circumstances to which we are reduced, we desire you, Gentlemen, to believe, that our Condition would appear to us much less unhappy, should we see our Children and ourselves perish; nevertheless, we hope that the Almighty, whom we all adore, will be so gracious to us, as to inspire you with Sentiments of Compassion and Charity, in not doing to others that which you would not have done to yourselves, and that he will influence you to fulfil his Word: Be ye merciful as your heavenly Father is merciful; and that he will be pleased to soften your Hearts, in Behalf of a People plunged into an Abyss of Bitterness and Sorrow. Ye charitable Gentlemen, we hope that God will, through your Favour, do by us as he did by *Hagar* and *Ishmael*, when they were both driven out of *Abraham's* House; when the Bread and Water which *Abraham* had given *Hagar* was expended, she found herself in the Desert of *Beersheba*, she went at a Distance from the Child, in order not to see him die, then she lifted up her Voice to the Almighty, and wept. God heard the Voice of the Child, and sent his Angel, which shewed her a Well filled with Water, out of which she drew, and thereby saved the Child's Life.— We put up our daily Lamentations to the Almighty, that he would be pleased to preserve us from the Evil which threatens

us, and we hope that merciful and good God will make Angels of you, who will procure us the proper Means to preserve our Children, in the same Manner which he provided to *Hagar*, in order to save her dear *Ishmael*. We hope, by the Favour of the Almighty, we shall one Day see again our dear Country, or at least be permitted to join our Nation in some Place, consistent with the Preservation of our Family. Nevertheless, if the Gentlemen are not disposed to be at the Charge of transporting us, having already been at considerable Expence on our Account, we hope that at least they will permit us to go away ourselves; it is true we are not in a Capacity to do it; yet perhaps, by the Assistance of certain charitable Persons, we shall find Means to compass it; at all Events, we are all disposed to sell the little that remains to us, as some Household-Goods, and our Clothing, to enable us to regain our Liberty.

Perhaps, Gentlemen, you may fear, that if we are released we shall join the Enemy, and aid them to bring War into his Majesty's Provinces; fear not, Gentlemen; if we had inclined to War, we should have been still, perhaps, in our own Country. Besides, we are ready to give the most solemn Assurance, that we will not take up Arms against his *Britannic* Majesty, nor against this Province, from which we have experienced nothing but Good, and for which ourselves, our Wives, and our Children, shall not cease to supplicate the Almighty, that he would heap upon you all Blessings, both spiritual and temporal. These are the most sincere Wishes of those who are, with all possible Respect, &c.

Signed by

<i>Oliver Tibaudat,</i>	<i>Piere Melancon,</i>	<i>Piere Babin,</i>
<i>Paul Bujauld,</i>	<i>Piere le Blanc,</i>	<i>Jean la Prince,</i>
<i>Jean Chenet,</i>	<i>Joseph Tabave,</i>	<i>Simon Hebert,</i>
<i>Joseph Blanchard,</i>	<i>Piere au Coin,</i>	<i>Daniel le Blanc,</i>
<i>Piere Landrii,</i>	<i>J. Baptiste David,</i>	<i>Charles le Blanc,</i>
<i>Paul au C'air,</i>	<i>Olivier au Coin,</i>	In Behalf of the Whole."

P. S. We very humbly supplicate you, honourable and respectable Gentlemen, to let us know your Intentions with regard to us, in Consequence of this our Representation, that we may no longer languish under our Misfortunes."

The Bill for forming and regulating the Militia of this Province, was again read, and considered; and, after some Progress made therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 9, 1757.

The Translation of the *French* Neutrals Petition was read, and considered; and Mr. Speaker laid before the House another Copy of the said Petition, directed to the Governor, which the Secretary had delivered to the Speaker, in order to be communicated to the House.

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please your HONOUR,

BY our late Law, extending several Sections of the Act of Parliament, entituled, "*An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,*" all the Public-houses in this Province were subjected to the Billeting of Soldiers quartered within the same; and had the Circumstances of his Majesty's Service admitted of their being quartered equitably and proportionably on all those Houses, the Bill we presented to your Honour would not have appeared to us necessary. But since it has been thought fit, that the whole Number quartered in the Province, should be billeted in *Philadelphia*, and the Public House-keepers throughout the rest of the Province bear no Part of the Burden, this Bill was intended to render it more equal among them all; not to take it from them, and lay it upon the People, which would be the Case, should your Honour's proposed Amendment be acceded to; for if the Excise be made general, the Price must rise proportionally on the Commodity excised, and the Farmers and labouring People, who chiefly buy it of the Retailers, and consume it at their Harvests, and other Labour, must pay the Addition.

But the Public House-keepers, who sell for the most Part by small Measure, and receive at the Rate of *Ten Shillings per Gallon* for Rum that perhaps costs them not more than *Three Shillings*, may, we think, afford to pay *Two-pence* a Gallon above the present general Excise of *Four-pence*, without any great Inconveniency; since the other Retailers, who are confined to sell by no less Measure than a Quart, cannot interfere with them in that most profitable Part of their Business.

We would beg Leave farther to observe, that at present the Soldiers billeted on the Public-houses at *Philadelphia*, amount, on an Average, to about four for each House; and that the Expense of furnishing Quarters, and Necessaries

in Quarters to each Man, at *Four-pence per Diem*, will in Three Months for four Men amount to *Six Pounds*; this the Public-houses are at present supposed to be burdened with; but the Addition to their Excise, by the proposed Bill, would in few Instances exceed *Thirty Shillings*, and they would be repaid the *Six Pounds*. We conceive therefore, that the Payment of *Thirty Shillings* in a Year, could not occasion the Loss of a great Share of their Business, when the Payment or Expence of *Six Pounds* has no such Effect. And that dividing equally among the whole Number of Public-houses, a Burden which at present lies wholly on a Part only, must, in the Nature of Things, make it lighter on that Part.

Whether the Fund proposed will be sufficient, we cannot say, as both its Produce, and the Continuance of the Soldiers here, are uncertain. If it should fall short, a future additional Provision may be made, when it shall be thought necessary. We therefore offer the Bill again to the Governor for his Assent: If he shall, upon Consideration of the Reasons above given, think fit to wave his Amendment, the Bill may afford those People some immediate Relief: If not, Affairs of greater Importance will not at present admit of our spending more Time about it."

And the same being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. Galloway and Mr. Yorke wait upon the Governor, and deliver the same, together with the Bill for rendering the Burden of Quartering Soldiers more easy upon the Public-houses; and further, that they deliver the following written Message, *viz.*

May it please your HONOUR,

YOU were pleased, by your Message of the Second of *September* last, to inform the then Assembly, that it was your Opinion that the late Inhabitants of *Nova Scotia*, now in this Province, should not be treated as Prisoners of War, and recommended it to the House to make Provision for them accordingly. In Pursuance of this Message, the Assembly passed a Bill, providing for them in the best Manner their Circumstances would admit of, which has received your Approbation, and is now enacted into a Law: Yet your Honour was Yesterday pleased to send down to us a Petition, directed to your Honour, by some of the said Inhabitants of *Nova Scotia*, in Behalf of themselves and others, requesting they may be sent to, or permitted to join, the *French* Nation; but without intimating what it is you expect from us, or how far you would recommend it to us, to interfere in the Matter.

We therefore having made the Provision we conceive necessary for the Relief of those People, return the Petition; but should your Honour think fit to inform us what it is you would recommend to be further done by us thereon, we will take it into our serious Consideration.

*February 9, 1757. Signed by Order of the House,
ISAAC NORRIS, Speaker."*

The House resumed the Consideration of the Militia Bill; and, after some Time spent in Consideration thereof, together with two different Clauses proposed by two of the Members as Alterations to the said Bill, the same was re-committed to the Committee who brought it in, to be altered and amended, agreeable to the Sentiments of the House thereupon.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 10, 1757.

The Gentlemen appointed to wait upon the Governor with the two Messages of Yesterday, and the Bill for rendering the Burden of Quartering Soldiers more easy on the Public-houses, reported, that they had delivered the same, according to Order.

In order to give the Committee on the Militia Bill sufficient Time to amend the same,

The House adjourned to Ten o'Clock To-morrow Morning.

February 11, 1757.

A Bill to regulate the Hire of Carriages for his Majesty's Service within this Province, was brought in by the Committee appointed to prepare the same, read the first time, and ordered a second Reading.

Ordered, That Mr. Pearne and Mr. Grubb wait upon the Governor, and acquaint him, that the House desire to know if he has come to any Result upon the Supply Bill, and the other Bills now before him.

The Committee to whom the Militia Bill was re-committed, reported the same to the House, with the Alterations they had made therein; and the same was read, with the Alterations of the Committee; and, after some Time spent therein, it was, upon the Question being put,

Resolved, That there be four Meetings of the several Companies of Militia, at the Places appointed by their respective Captains, in one Year, besides a general Muster.

The Gentlemen appointed to wait upon the Governor with

the Message of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, that he had the several Bills sent him by the House under his Consideration; but as the Supply Bill was of great Importance, and had been long depending in the House, it required more Time to consider it than had yet been allowed him; that he would however give all of them the utmost Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 12, 1757.

The House resumed the Consideration of the Bill for forming and regulating the Militia within this Province; and, after some Time spent therein, the same was referred to farther Consideration.

The Governor, by Mr. Secretary, sent down to the House the Bill for the further Continuance of an Act of General Assembly of this Province, entitled, "*An Act for the more easy Recovery of Legacies within this Province;*" with a Message, that he was ready to pass the same into a Law, whenever the House should present it to him for that Purpose.

The Governor likewise sent down the Supply Bill, with the following Message in Writing, which was read, *viz.*

GENTLEMEN,

'NO one can be more sensible than I am, of the Necessity of raising immediate Supplies for his Majesty's Service, and the Defence and Preservation of this Colony, at a Time when we may reasonably suppose the Enemy are meditating new Schemes against it. I assure you no Man can be more desirous of faithfully discharging his Duty to his Majesty, or more sincerely disposed to promote the Good and Happiness of the People of this Province, and to afford them the Protection they stand so much in Need of. It is therefore Matter of real Concern to me, to have Occasion to differ in Opinion with you on the several Bills presented to me for raising Money to answer the present Exigencies of the Province. I have considered the Bill, entitled, "*A Supplement to the Act, entitled, An Act for granting the Sum of Sixty Thousand Pounds to the King's Use, and for striking Fifty-five Thousand Pounds thereof in Bills of Credit, and to provide a Fund for sinking the same; and for granting to his Majesty the additional Sum of One Hundred Thousand Pounds, with the strictest Care and Attention; and, from the best Judgment I can form of it, I conceive I cannot give my Assent to it,*

consistent with the Obligations I am under to the Proprietaries, or the Regard I have for the true Interest of the People committed to my Charge, for the following Reasons:

'First, It is provided by the Bill that *Forty-five Thousand Pounds*, Part of the *One Hundred Thousand Pounds*, shall be immediately struck in new Bills of Credit, to be sunk in four Years, by a Tax on Estates, real and personal. Nothing is of more Importance to a Country, than the preserving the Credit of their Money, which must evidently rise or fall in its Value, like every other Commodity, in Proportion to its Quantity. When this Province was in its most flourishing State, and its Commerce the most extensive, the Sum of *Eighty Thousand Pounds*, in Bills of Credit, was found sufficient to answer all the Purposes of Trade. By Laws lately passed *Eighty-five Thousand Pounds* hath already been struck, and added to the former Sum; and although, from the great Plenty of Government Bills, and other Contingencies, this Addition does not appear to have greatly affected the Credit of the Money; yet it is as evident, that the Exchange must have been lower, if new Emissions had not been made, as that the Striking of more must inevitably raise the Price of Exchange, and consequently depreciate the Currency of the Province. How injurious this must prove to Trade in general, and how ruinous to the Estates of Widows and Orphans, and to the Interest of great Numbers of Individuals, especially if Peace should be restored, is obvious to the Understanding of every Man. But these are not the only Mischiefs. It is not improbable that such large Emissions of Paper Money may induce the Parliament, in the End, to deprive us of the Power of issuing Bills of Credit at all. To guard therefore against these Evils, other Ways and Means should be fallen upon to raise Money on this Occasion; or if there should be an absolute Necessity of striking any Quantity for the immediate Service of the Public, Provision should be made by Law to sink the same in a less Term than four Years.

'Second, Every Law ought to be explicit and certain, that those who are appointed to carry it into Execution may know how to conduct themselves, and administer equal and impartial Justice to every one under it. But it is apparent, that the Act for granting *Sixty Thousand Pounds* to the King's Use, &c. to which the Bill now under my Consideration is a Supplement, is indeterminate and uncertain, in directing a Tax to be laid yearly on the clear Value of Estates, without ascertaining whether such Tax shall be

laid on the yearly Value or Income, or on the Value of the whole Capital. From this Ambiguity in the Act, great Injustice may be done to many of the Inhabitants, some of whom may be obliged to pay a Tax laid on the capital Value of their Estates, while others pay no more than the Tax on the annual Income, according to the different Constructions put on the Law by the several Officers concerned in raising the Tax. The Act appears to me to be defective also, in not empowering the respective Officers, whose Duty it is to return Lists of the Nature and Value of each Person's Estate, to enquire, either by Oath, or some other effectual Means, into the true and real Value of such Estates. It is impossible that such Officer can be acquainted with the particular Circumstances of every taxable Person within his District, but he is under the Necessity of applying to the Parties themselves for Information. The strong Influence Self-Interest is known to have on Mankind in general, may occasion many to represent their Estates to be much less than they really are, by which Means the Burden of the Tax will be laid very unequally on the Inhabitants under that Law.

Third, The Sum proposed to be granted to his Majesty by the Bill is to be raised by a Tax on Lands and personal Estates in the Term of four Years; which is contrary to the Proprietary Instructions, as well as contrary to the Practice, Wisdom and Policy of our Mother Country; where it was never known, in Times of the greatest Extremity, that Taxes were laid on Lands for a longer Term than one Year. It has been asserted, that it is impossible to raise that Sum within this Province, in the Space of one Year, consistent with Proprietary Instructions; but as we have had no Experience of such a Law, I am at a Loss to know how this Discovery has been made. On the contrary, it appears probable to me, that the Sum may be raised in that Time, without laying any great Hardships on the People; and if a Tax on Estates, real and personal, after taking proper Measures to come at their true yearly Value, be found insufficient, the Deficiency might be supplied, by following the Example of our Neighbours, in taxing Luxury, and laying Duties on such Things as may do the least Injury to Trade.

Fourth, I cannot conceive it just or reasonable, at this Time, to tax unimproved Lands, which, instead of rising in their Value, and in that View being considered as yielding an annual Profit, every one, who is acquainted with the present Circumstances of the Province, must know, have daily de-

clined greatly in their Value, ever since the first Incursions of the Enemy on our Frontiers, and are not in Fact worth so much now as they were some Years ago.

'Fifth, The Act, to which this Bill is a Supplement, as to the Mode of levying the Tax, and the Duty and Powers of the Officers therein concerned, refers to the Act for raising County Levies, which I conceive to be unparliamentary; and such Powers and Duties, to avoid Confusion and Mistakes, ought to be contained in the Body of the Act itself, independent of any other.

'Sixth, The Trustees of the Loan-Office, into whose Hands the Sum of *One Hundred Thousand Pounds* is to be paid, are not directed by the Bill to give any additional Security for the true and faithful Discharge of the new Trust to be reposed in them, which, in Justice to the Public, they ought to do.

'Seventh, The Act for granting *Sixty Thousand Pounds* provides, that the Money shall be disposed of by the Provincial Commissioners, with the Approbation of the Governor; yet the Commissioners alone have a Power to draw Orders on the Trustees, without prescribing any Means whereby it may appear that the Governor's Consent has been had and obtained, either by his countersigning such Orders, or otherwise.

'Eighth, The Bill, in many other Parts of it, is contrary to the Instructions given me by the Proprietaries, as you may perceive on comparing them together. These Instructions, I have repeatedly told you, I cannot dispense with; I must therefore exhort you not to spend any more Time in framing such Bills as you must be sensible I cannot give my Assent to; but to proceed, and consider of such other Ways and Means to supply the public Necessities, as may be free from these and the other Objections I have so often mentioned to you.

February 11, 1757.

WILLIAM DENNY."

Ordered, That the Bill for the further Continuance of the Act for the more easy Recovery of Legacies be engrossed.

The Governor, by the Secretary, sent down the Bill for preventing the Exportation of Provisions, naval or warlike Stores, to the *French*, &c. with sundry proposed Amendments, which were read, and considered, and referred to farther Consideration.

The Governor's Message, sent down with the Supply Bill, was again read, and considered; and, after some Time spent therein,

Ordered, That Mr. Fox, Mr. Leech, Mr. Hughes, Mr. Baynton, Mr. Galloway, Mr. Franklin, Mr. Masters, Mr. Allen and

Mr. *Yorke* be a Committee to prepare a Draught of an Answer to the same.

Then the House adjourned to next *Monday*, at Five o'Clock in the Afternoon.

February 14, 1757.

The House met, pursuant to their Adjournment.

Upon Motion made,

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Masters*, Mr. *Gibbons* and Mr. *Yorke* be a Committee to draw up the Heads of the several Grievances necessary to be represented Home to *England* for Redress, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 15, 1757.

The House met, and adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare a Draught of an Answer to the Governor's Message, made a Report thereon in Writing; which was read, and considered; and, after some Time spent therein, was referred to farther Consideration.

The Governor's proposed Amendments to the Bill for preventing the Exportation of Provisions, naval and warlike Stores, to the *French*, &c. were again read, and considered; and, after some Time spent therein, the same was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 16, 1757.

The House resumed the Consideration of the Governor's proposed Amendments to the Bill for preventing the Exportation of Provisions, naval or warlike Stores, to the *French*, &c. and, after some Time spent therein, some of them were agreed to by the House, and in others the House adhered to the Bill.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Draught of a Message to the Governor concerning the said Amendments.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from divers Inhabitants of the County of *Chester*; also a Petition from *David Davis*; a Petition from *John Best*, and a Petition from *Andrew Parke*, all of the said County,

complaining of divers arbitrary and oppressive Proceedings of *William Moore, Esq*; Justice of Peace, were presented to the House and read, and *Ordered to lie on the Table.*

The Report of the Committee on the Governor's Message, containing his Reasons for refusing the last Supply Bill, was again read, and considered; and, after some Time spent therein, was referred to farther Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 17, 1757.

The Committee appointed to prepare a Draught of a Message to the Governor, concerning his proposed Amendments to the Bill for preventing the Exportation of Provisions, naval or warlike Stores, to the *French*, reported the same to the House; and it was read, agreed to, and ordered to be transcribed, that it may be sent up to the Governor.

The House resumed the Consideration of the Report of the Committee on the Governor's Message, concerning his Refusal of the last Supply Bill; and, after some Time spent therein, the same was, with some Alterations, agreed to by the House, and is as follows, *viz.*

IN Obedience to the Order of the House, we have considered his Honour's Message of Yesterday, refusing the Bill for granting *One Hundred Thousand Pounds* to his Majesty's Service; and as it appears to us, that Reasoning with the Governor can be of no possible Use, since, though the House should convince his Judgment, they cannot change his Instructions, and by those he is determined invariably to adhere; we have chosen to throw our Remarks into the Form of a Report to the House, rather than that of a Message to his Honour. Not that we have any Thing to offer which the House is not already fully apprized of; but since the Message is probably intended to be read where the Motives on which the House have acted may not so well be known, it seems convenient they should at least be found on our Minutes, that all may judge of them, who are any way concerned in the Consequences.

We would therefore observe in general, that the Governor having before refused two Bills, one for granting *Sixty Thousand Pounds*, the other for granting *One Hundred Thousand Pounds* to the King's Use, for various Reasons unsatisfactory to the Assembly, the House, sincerely desirous to make an effectual Grant, chose to form the Bill in Question on the Plan

of the *Sixty Thousand Pound Act*, passed by the late Governor, which, after a solemn Hearing before the Board of Trade in *February* last, had received the Royal Assent. By this Means they hoped to avoid all Objections and Difficulties, especially as the Proprietaries were not by the Bill to be taxed. The Bill is a Supplement to the last mentioned *Sixty Thousand Pound Act*, and in raising and disposing of the *Hundred Thousand Pounds* granted, the same Modes are to be pursued as by that Act are directed. But unfortunately the Governor, we find, is dissatisfied with that Act also, and most of his Objections are levelled against it.

As to the Governor's first Reason, *viz.* The Danger of depreciating our Currency, if *Forty-five Thousand Pounds* should be struck in Addition to it, to be sunk in four Years, we may observe, that the Governor is allowed by the twelfth Article of his Instructions to re-emit the *Eighty Thousand Pounds*, now current among us, with the Addition of *Forty Thousand Pounds* more, for sixteen Years, without any Provision against the Injuries the Estates of the Widows and Orphans might sustain thereby, or any great Solicitude for the Rise of Exchange upon Bills, provided the Proprietaries Quitrents are secured, by being made payable according to the Exchange between the Cities of *Philadelphia* and *London*, and that they have the Disposal of the Interest Money, as directed by this and the eleventh Instruction, which must be strictly complied with; on these Terms then, it seems, there is no Danger of depreciating the Money by an Addition of *Forty Thousand Pounds*, though no Part of that Sum, or the *Eighty Thousand Pounds*, were to be sunk in many Years to come. We would further observe, that in the Times mentioned by the Governor, when we had but *Eighty Thousand Pounds* current in Bills of Credit, there was current in the Province at least *Four Hundred Thousand Pounds* of Gold and Silver, most of which, with what has been yearly imported, is since drawn out of the Province for Payment of the Army at *New-York* and *Halifax*, and for Payment of our Debts to the Merchants in *England*; so that a Piece of Gold is now rarely received in Payment. In the mean Time, the Produce of the Province, and its People, since that *Eighty Thousand Pounds* was first made current, are very greatly increased, and consequently the Demand for a Medium of Exchange increased. The late Emissions have not in the least depreciated our Money, for Bills were sometimes higher when we had only *Eighty Thousand Pounds* current, than they have been at any Time since

the new Emissions. And if those Emissions have, as the Governor supposes, prevented the Fall of Exchange, they have so far been of Advantage to his Majesty's Service, as the Government Bills have thereby fetched a better Price. In the last War, we remember, the Crown lost vast Sums by the Fall of Exchange in *America*, occasioned by a Scarcity of Money, joined with a Plenty of Bills; and *some* who bought them up, when they had fallen from 165£ to 125£ Currency for *One Hundred Pounds Sterling*, may likewise remember, that they thereby made proportionable Profits. They may possibly desire now to have a like Opportunity. The Money pretended to be given to the Province, but unjustly withheld, is perhaps designed, with the late collected Quitrents, to purchase Bills when they shall be sold at the expected low Rate a Scarcity of Money may reduce them to; but we think his Majesty's Service is to be preferred to the private Advantage of the Proprietary, and a few of his Friends that trade in Exchanges. The House, however, would as carefully as possible guard against any Depreciation of the Currency. They therefore proposed to strike only *Forty-five Thousand Pounds* of the *Hundred Thousand Pounds* granted, and that to be sunk in four Years, one Fourth Part in each Year. Nor would they have chosen to strike any Bills at all, if Taxes of any Kind could possibly produce Money soon enough to answer the present Emergencies of the Government. If a Depreciation should happen, they are sensible they must suffer with others, and some of them more than many others: But when they considered, that within the present Year the following Sums are to be sunk and destroyed, *viz.*

Of the 80,000£ one sixth Part, or	£ 13,333 6 8
Of the 55,000£ one fourth Part, or	13,750 0 0
Of the 30,000£ one tenth Part, or	3,000 0 0
And if this Bill for 45,000£ had passed, one fourth Part of that likewise,	11,250 0 0

In all £ 41,333 6 8

they could not conceive there was the least Danger of a Depreciation, especially as more Soldiers were daily raising and arriving, and ten new Regiments are expected from *England*, which must necessarily occasion a still greater Plenty of Bills of Exchange, to be sold on Behalf of the Government. If the War should continue, they judged therefore that the Exchange could not rise; and though Peace should be suddenly restored, yet the necessary Sinking of all our *Eighty Thousand Pounds*

Loan-Money, all the *Fifty-five Thousand Pounds*, great Part of the *Thirty Thousand Pounds*, and all the proposed *Forty-five Thousand Pounds*, in the Terms of four, and at farthest six Years, would certainly prevent a Depreciation; therefore, in either Case, the Adding *Forty-five Thousand Pounds* only to our present Currency could not injure the Estates of Widows, Orphans, or any others. We are indeed surprised to find it so much as suggested, that striking a Sum for the Defence of the Province, and his Majesty's Service, *to be sunk in four Years*, may subject us to the Displeasure of Parliament; when it is so well known, that the Act of Parliament, made expressly to restrain the four *New-England Colonies*, in the Affair of Paper Money, allows even those Colonies to strike any Sum they may find necessary for that Purpose, if they provide Funds to sink it in *five Years*: And the Lords of Trade gave it as one Reason for allowing our late Act to strike *Fifty-five Thousand Pounds*, "that we had provided to sink it in *so short* a Term as *four Years*." This proposed stricter Restraint, in a Time of such imminent Danger, appears to us, therefore not only to be unreasonable in itself, but to be founded on no Law, Opinion, or Instruction whatever from our Mother Country.

On the Governor's second Reason, *to wit*, The Uncertainty of the Act to which this Bill is a Supplement, in the Mode directed for laying the Tax, and its Defect, in not obliging People to give an Account of their Estates upon Oath, &c. we shall only remark, that the Mode directed by that Act, is the same that has ever been used in this Province, and is what the Commissioners and Assessors are accustomed to, and well understand. The Injustice supposed, has not taken Place in the Execution of it; no one has complained of, or so much as apprehends such Injustice. The Assessors are upon Oath to tax all equally and justly; which they could not do, if they laid, as the Governor supposes they may, the *Six-pence per Pound* on the capital Value of some Estates, and on the annual Income only of others. Defects there may possibly be in this Bill, and even to us there appears a very considerable one, *to wit*, that the Proprietary Estate is not taxed; but this we cannot amend if we would; others, when found, a subsequent Act may remedy. A perfectly equal Tax never yet was, nor perhaps ever will be laid in any Country by any Law: But in no Country, that we know of, are People put to their Oaths to make them confess and declare the *full* and *true* Value of their Estates. It is inconsistent with the Laws

of the *English* Constitution, might be ruinous to some who at present live in good Credit, impracticable to others who do not keep clear Accounts, and inconvenient to all. The Officers are therefore to make the best Returns that they can, by Enquiry or otherwise, obtain, and the Assessors the best Judgment they can on those Returns. By this Bill the People may *possibly* be taxed unequally, with regard to their Estates; but by the Excise Act they must *certainly* be so; yet to the Excise Act the Governor has given his Assent, without the least Objection on Account of such Inequality, and even recommends further Excises in the Message under Consideration.

The Governor's third Objection is, That a Tax for four Years on Lands or personal Estates, "*is Contrary to the Proprietary Instructions,*" which say, that he SHALL NOT give his Assent to any Act laying such a Tax for more than one Year. It is true the Instructions say that and more; they say the Governor SHALL NOT pass any Act to tax the Proprietary Quitrents, nor their located unimproved Lands, nor the Fines or Purchase Monies they have at Interest, which together make the Bulk of their Estate; nor shall he pass an Act to tax the located unimproved Lands of any other Person; nor to tax the *Value* of any other Estate, but the *Rent* or *Interest* of the Value only, and that at the low Rate of Three *per centum per Annum*; nor on that Interest of Three *per Cent.* more than *Four Shillings* in the *Pound*. So that whatever the Necessities and Distress of the Province may be to raise Money for its Defence, their vast Estate in Quitrents, Money at Interest, and located unimproved Lands, are to be exempted, and shall not pay a Penny; and not only so, but the People themselves shall be hampered with new Restraints, and forbid to grant his Majesty what they find the present State of his Service, and the imminent Danger to the Colony, absolutely call for. If we may not lay a Tax for more than one Year, we can grant no more than one Year's Tax will produce. If this be indeed the Practice, Wisdom and Policy of our Mother Country, whence arose its Debt of *Eighty Millions*? A Debt greater than all their Taxes can pay in many Years, though, being rich, while we are poor, and just beginning to live, they have much more to tax than we have. *Four Shillings* in the *Pound*, on Three *per Cent.* will produce only the Hundred and Sixty-sixth Penny of the full Value of any Estate. Suppose *Four Shillings* in the *Pound* on *Five per Cent.* which is the Hundredth Penny, should be found absolutely necessary to secure the Province from

his Majesty's Enemies; or suppose even the Fiftieth Penny necessary; must the Country be destroyed, and the Whole be lost, rather than these Instructions be departed from? So it seems. For "the Governor's Honour and Interest may suffer if he breaks them." Thus, by the Proprietaries shackling their Governor with Instructions and penal Bonds, and not allowing him to use his own Judgment, or the Advice of his Assembly, on the most important Occasions, the People may be deprived of one of the most valuable Ends of Government, Protection, and the King's Province exposed to Destruction.

The Governor, by his Estimate laid before the House, required *One Hundred and Twenty-seven Thousand Pounds*, as necessary for the Service of the current Year. Let us endeavor to compute, by the best Lights we have, how much of this a Tax, laid conformable to the Proprietary Instructions, can possibly produce. All their Estate, except a Trifle, and all located unimproved Lands, to whomsoever belonging, are to be exempted. There remains then to be taxed, only the improved Lands, Houses and personal Estates of the People. Now it is well known, from the Tax-Books, that there are not in the Province more than 20,000 Houses, including those of the Towns, with those on Plantations. If these, with the *improved* Land annexed to them, and the personal Estate of those that inhabit them, are worth, one with another, *Two Hundred and Fifty Pounds* each, it may, we think, be reckoned their full Value; then multiply 20,000, the Number of Houses, by 250£ the Value of each Estate, and the Produce is 5,000,000£ for the full Value of all our Estates, real and personal, the unimproved Lands excepted. Now *Three per Cent.* on Five Millions, is but *One Hundred and Fifty Thousand Pounds*; and *Four Shillings* in the Pound on *One Hundred and Fifty Thousand Pounds*, being but a fifth Part, is no more than *Thirty Thousand Pounds*: So that we ought to have near Seventeen Millions, to produce, by such a Tax, *One Hundred Thousand Pounds*. If it be asked, how then we proposed to raise *One Hundred Thousand Pounds* in one Year by the Bill the Governor lately refused, it may be answered, That the Proprietary Estate was by that Bill to be taxed; and all located unimproved Lands were to be taxed; Polls were to be taxed; and the Produce of all Offices, Trades and Employments were to be taxed, according to the usual Method of Assessing them under the County Rate and Levy Act; and yet, with all these Helps, we were sure the Country must have been greatly distressed by that Tax, and that it

would hardly have been possible to raise it within the Year. How then shall we make up the Deficiency, when the Tax we are allowed to lay can produce no more than *Thirty Thousand Pounds*? The Governor is pleased to say, "by following the Example of our Neighbours in taxing Luxury, and laying Duties on such Things as may do the least Injury to Trade." Some of our Neighbours have indeed tried this Method; and what does it produce? The whole Produce of the Tax on the Luxuries of *New-York*, including the Duties on Wine, Rum, Brandy, and other distilled Liquors, Negroes, Cocoa and Dry Goods, from *September 1, 1755, to September 1, 1756*, amounts to no more, as appears by their Votes now before us, than *Three Thousand Two Hundred and Four Pounds Nineteen Shillings and Two-pence*; though that is an older Colony, and inhabited by People generally richer than ours, and almost all the Gold and Silver of the neighbouring Colonies has, within that Term, centered there, to support the Troops. Our chief Luxury, if it may be called a Luxury, is Rum, and that, with Wine, &c. is already taxed, and the Tax mortgaged for ten Years to come. This Colony is more remarkable for Industry and Frugality than for Luxury; and 'tis doubted whether, if all our Luxuries were abolished, and the full Price of them paid to the Treasury, it would produce any considerable Sum; much less must be produced by any Excise or Tax on them that they can bear. We may indeed create some new Offices and Officers, and embarrass Trade, or drive it from our Ports, but little Advantage can we expect to arise from such Taxes to the Public.

On the Governor's fourth Reason, we shall only remark, that unimproved Lands near the Frontiers may indeed be diminished in Value, yet those within the Settlements must rise as the Inhabitants retire inward from the Enemy. The high Price those Lands are, and have been, kept at, has forced out of our Country ten times more of our People than have been driven away by the Enemy, and thereby greatly weakened the Colony. The Monopolizing Lands, therefore, to lie uncultivated for a Market, is a public Injury; and besides that such Lands can well afford it, they ought to be well taxed to oblige the Owners to sell out, for the Public Utility. But the Tax laid on them by the Bill is vastly too low, the Valuation being confined between *Five and Fifteen Pounds per Hundred Acres*, when some of those Lands, being the first and choicest Pickings of every *Indian Purchase*, will actually now sell for near *Three Hundred Pounds per Hundred*,

the War notwithstanding. And though those near the Frontier may be diminished in Value, they are however still of considerable Value, and whatever that is, they should be taxed for it. The Assessors will duly consider such Diminution of Value wherever they find it, and all other Land of the same Kind that holds its Price, should certainly not be exempted for the diminished Value of a Part only. 'Tis kind, however, in the Proprietaries to favour their Wholesale Chapmen, and encourage the Trade, by endeavoring to screen, with their own, the Purchases of their Favourites.

The Governor's fifth Reason against passing the Bill is, that the Act, to which it is a Supplement, refers to the Act for raising County Rates and Levies, and he conceives it unparliamentary for one Act to refer to another; but all the necessary Powers and Duties should be contained in the Body of the Act, independent of any other.—Were it unparliamentary, as the Governor says, yet the Act he objects to has received the Royal Approbation, and is executed without the Inconvenience supposed, having been long in Use, and well understood by the Officers. It is but a few Weeks since the Governor himself was pleased to pass an Act for extending hither great Part of an Act of Parliament, by referring to the Clauses only, without requiring them to be inserted in the Bill: And we conceive it far from being unparliamentary, as there are many Instances of one Act of Parliament referring to another.—But there being no Instruction in that Case, the Governor had then no Occasion for the Use of this Objection.

On the sixth Reason, we must observe, that to make it appear something stronger, it is said, the *whole* Sum of *One Hundred Thousand Pounds* is to be paid into the Hands of the Trustees; whereas the Bill directs only *Forty-five Thousand Pounds* of it to come into their Hands, and that either before it is properly Money, being but printed Paper, unsigned, or when it ceases to be Money, and is only to be burnt and destroyed.—And as it would probably be drawn out of their Hands almost as fast as it could be signed, no farther Security than they are under for the *Eighty Thousand Pounds*, by the *Eighty Thousand Pound Act*, was thought necessary. *Fifty-five Thousand Pounds* of the *One Hundred Thousand Pounds* never goes into the Trustees Hands at all, but is to be paid to the Treasurer as it arises from the Taxes, and by him issued in Discharge of the Commissioners Orders for the King's Service:—The Treasurer therefore is to give an additional Security by the Bill. When the *Forty-five Thousand*

Pounds comes to be sunk, the Trustees can never have much of it in their Hands at a time, as a fourth Part of it is to be yearly sunk and destroyed. And the Securities they are already under were deemed fully sufficient, especially as great Part of the Money now under their Direction will be sunk before that comes to their Hands.

The Governor's seventh Objection is likewise against the Act that has been confirmed at Home; we shall therefore only mention what we are informed was the Practice on that Act. The former Governor did at first counter-sign some Orders, but found the Practice too troublesome to be continued. The Mode has since been, for the Governor and Commissioners to agree on the Service for which Money is necessary; then the most considerable Contracts are laid before him for his Approbation, and those Agreements and Approbations are entered on the Minutes. The Commissioners afterwards only settle Accounts, which is troublesome enough, and give Orders for the Payment, in Pursuance of such previous Agreements and Contracts. They would be glad if the Governor could be present at every Meeting of the Board, and assist in transacting the Business; but it would take up too much of his Time, and is therefore impracticable. And it would be useless to give him the Trouble of signing Orders, if he cannot spare Time to examine the Accounts on which the Orders are founded; especially as two of his Council have always been two of the Commissioners; and no Governor has complained that they have drawn Orders for improper Services.

What are the many other Parts of the Bill which are contrary to the Instructions, his Honour has not been pleased to specify, nor is it material, since, if every one of those Instructions is not observed, the Bill cannot be passed. In fine as this necessary Bill is exactly conformable to the Act so lately allowed by the Crown, and which is now in Practice, without the Inconveniencies objected; the Want of Compliance with those Proprietary Instructions appears to your Committee the true and sole Reason of its not passing. The other Reasons, as we conceive, are only introduced to save That the Shame of standing alone, and on Examination appear to be not so much *Reasons* as *Excuses*. And we cannot but regret the Situation of a Governor who finds himself under the Necessity of making them, and pity the Counsellors who must approve of them. But much more are we the unhappy People of *Pennsylvania* to be pitied, who must perish by the

Hand of the Enemy, or comply with Instructions, or rather Laws, made for us by ill-informed Proprietaries, at a Thousand Leagues Distance; Laws unsuitable to our Circumstances, impracticable in their Nature, or, if practicable, ineffectual.

Submitted by the Committee to the Correction of the House."

The House being informed that the Right Honourable the Earl of LOUDOUN was soon expected in this City.

Ordered, That Mr. *Leech*, Mr. *Hughes*, Mr. *Galloway* and Mr. *Masters* be a Committee to prepare a Draught of a congratulatory Address to his Lordship, to be presented him upon his Arrival.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 18, 1757.

A Petition from the Justices, Grand Jury, Commissioners and Assessors of the County of *York*, was presented to the House and read, setting forth, that near two Townships, and many other small Tracts of the best Land in the said County, are held under the Proprietary of the Province of *Maryland*, and therefore the Inhabitants of these Lands are not liable to pay Taxes, or other public Dues for the Support of this Government, neither do they (as they inform the Petitioners) pay to the Province of *Maryland*, under whose Jurisdiction they are, or ought to be, by the Royal Order; that the Situation of these Lands being chiefly from five to fifteen or twenty Miles and upwards North of the temporary Line, and consequently separated from *Maryland* by Lands held under our Proprietaries, the Petitioners apprehend to be the Reason why the Inhabitants of the said Lands are not called upon for public Dues by the Officers of *Maryland*; that as many of the Inhabitants of the said Lands as have convenient Situations, and are in suitable Circumstances, do distil great Quantities of Spirits, and keep Public-houses, and neither have Licence from, nor pay Excise to, either of the Provinces; that some of them entertain the Servants and Hirelings of their Neighbours on Sabbath-Days, and harbour and conceal many of such of the Inhabitants of this Province as get in Debt, or commit any Crimes cognizable before the Court in said County, to the manifest Injury of the Public, and of Numbers of the Inhabitants of this Province; that nevertheless, the Persons residing on said Lands sue for, and recover, their Debts amongst the Petitioners, and enjoy all the other Privileges of Government with those who contribute towards

the Support thereof; the Petitioners therefore pray, that this House will consider the Premises, and grant such Remedy as shall seem expedient.

Ordered to lie on the Table.

The Message to the Governor being transcribed, was again read, and is as follows, *viz.*

May it please your HONOUR,

WE have considered your proposed Amendments to the Bill, entitled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores, from this Province to any of the Dominions of the French King, or to any Port or Place in America, not in the Possession of his Britannic Majesty*; all of which we have agreed to, save those which restrain the Merchants of this Province from trading to the neutral Ports, or Places not in the Possession of his Majesty's Enemies in *Europe*. This we were induced to do, not from a Conviction that they were necessary, or founded on the former Usage in our Laws, but from an Inclination to convince your Honour we sincerely desire the Passage of a Bill so necessary, under our present Circumstances, for our own Preservation, and to distress his Majesty's Enemies. But as the Amendments proposed by your Honour for laying an Embargo generally on Provisions intended to be exported to any of the neutral Ports in *Europe*, as well as *America*, if acceded to, will effectually prevent the Commerce carried on with several of the neutral Ports in *Europe*, without which our Trade must be in a Manner destroyed, we cannot admit of them in the Bill.

The Inconveniency such Amendments would introduce, we conclude, must appear to your Honour on further Consideration. They will effectually disable the Merchant from purchasing or importing Wines from the *Madeiras* and *Western Islands*. This, if no other Disadvantage should attend it, will in a great Measure destroy a Fund, upon which a considerable Supply, already granted to his Majesty by the Excise Act, is founded, and by that Means prevent the Sinking of the Paper Bills of Credit, which have been struck for that Purpose, and are now current. No Provisions can be exported from hence to *Lisbon* or *Cadiz*, without which we cannot procure the Salt that is absolutely necessary for the Use of his Majesty's Troops, and his other Subjects in this Colony. The Inconveniency that must necessarily arise from the Want of this Commodity, in the hot Season of the Year, is more easy to conceive than express. And without Salt, it will be impossible for the Merchant here to supply his Majesty's *West-*

India Colonies with Beef and Pork, upon which they in a great Measure depend for Subsistence. We therefore hope the Governor will not insist on Amendments which must be attended with such Disadvantages to our Trade, and Mischief to the Community in general, as there is no Probability of its proving detrimental to his Majesty's Service, or injurious to the Public Welfare.

We conceive these Amendments were made by your Honour, in Pursuance of the Instruction from the Lords Commissioners for Trade and Plantations, lately laid before the House, and in Part recited in the Message that accompanied it. We duly weighed the Intent of that Instruction at the Time of framing the Bill, which we thought, and still think, was calculated in the fullest Manner to remedy the Mischief complained of; and that was, as appears by the Preamble of the Instruction; "The Colonies of the *French* in *America* having, in Times of War, been frequently supplied with Provisions of various Kinds, by Means of the Trade carried on from his Majesty's Islands and Colonies to the Colonies and Settlements belonging to the *Dutch* and other Neutral Powers." Hence it appears, that the Design of the Instruction was to prevent a Trade to these Settlements of the *Dutch*, and other Neutral Powers, from whence his Majesty's Enemies in *America* were supplied. And it is well known, that those Enemies have never been supplied with Provisions raised in the *British* Colonies from any other Neutral Ports but those in *America*. No other Inconveniency is complained of, or was ever experienced, and therefore needed not to be redressed. For this an adequate Remedy is provided by the Bill, which prohibits, under severe Penalties, the Exportation of Provisions from this Province to any Port or Place in *America*, not in the Possession of his *Britannic* Majesty. We conceive any Thing more than a Remedy for the Evil complained of ought not to be expected from us; and to prevent our Merchants from trading to Places in *Europe*, from whence it is not reasonable to expect the *French* Colonies or Settlements will be supplied, is embarrassing our Trade, and injuring our Commerce, without the least Advantage accruing from it, either to his Majesty's Service, or the Good of the Province.

We cannot omit observing the Difference between the Instruction your Honour was pleased to lay before us, in the early Part of this Session, given and signed by our most gracious Sovereign, and the one now under our Consideration. The former appears, from all its Parts, to have come from

a gracious and good King, a Father of his People, and bespeaks a Consciousness of the Impossibility there is of forming a true Judgment of the particular Situation and Necessities of his Colonies, at so great a Distance from them: To whom, after pointing out the Mischiefs, he has left the Care of redressing them in the Manner most effectual and suitable to the several Circumstances of his Subjects, by Laws to be framed by the Legislature on the Spot, who he rationally concludes are the best Judges thereof. But how different is the latter! It not only points out the Evil, but the Mode of redressing it in all its Particulars, and enjoins an immediate and explicit Obedience to it. So that however impracticable the Remedy, however inconvenient to his Majesty's Service, or inconsistent with the Trade, Commerce and public Utility of the Province, one would conclude it must be complied with. But should your Honour separately, or jointly with us, adhere to it literally, what might be the unhappy Consequences, when your Honour is required thereby, to lay an Embargo "on all Vessels clearing out with Provisions, except those which shall be employed in carrying Provisions to any other of his Majesty's Colonies and Plantations?" The Kingdoms of *Great-Britain* and *Ireland*, cannot with Propriety be comprized under the Denomination of Colonies or Plantations; and consequently the Effects of the Embargo would extend to them. And therefore, notwithstanding their last Harvest has failed, and there is at present a Prospect of great Scarcity of Provisions in those Places, yet it would not be in the Power of the People of this his Majesty's Colony to relieve or succour its Mother Country, let her Necessities and Distress be ever so great. But, indeed, there cannot be a more pregnant Instance of the Absurdity of giving particular Instructions, relative to the making of Laws, to Legislatures, which are so distant as we are from our Mother Country. And this will ever be the Case, where either Misinformation, or Want of Information, must render such particular Instructions improper to be observed, unsuitable to the real Circumstances of the Colony, and often, as in the present Case, not only inconsistent with the Trade and Commerce of the Province, but repugnant to the general Advantage and Utility of the Nation.

We have endeavored to form the Bill in such Manner as will effectually prevent the Supplying his Majesty's Enemies with Provisions or warlike Stores from this Province, which was the *sole* Intent of the Instruction; and therefore we hope

your Honour, upon further Reflection, will withdraw the Amendments which would extend the Effects of the Embargo to the Neutral Ports in *Europe*, as they can only tend to destroy the Trade of this Port, and distress his Majesty's Subjects, without contributing any Thing to his Majesty's Service."

And the Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Roberdeau* and Mr. *Yorke* wait upon the Governor, and deliver the same, together with the Bill for prohibiting the Exportation of Provisions, naval or warlike Stores from this Province to any of the Dominions of the *French King*, or to any Port or Place in *America*, not in the Possession of the Subjects of his *Britannic Majesty*: And further, that they deliver the Supply Bill to the Governor, and acquaint him, "That upon receiving his Honour's Message of the Twelfth Instant, sent down with our last Supply Bill, the Committee to whom that Message was referred have reported fully upon all the Objections against that Bill, which, after mature Deliberation, the House have approved, and find those Objections are rather Excuses for not passing the Bill, than Reasons against it: That the Bill itself is only a Supplement to an Act, which, after a full Hearing before the Lords of Trade, has very lately received the Royal Assent; and we confined ourselves to that Act, with as few Alterations as possible, apprehending the Bill would be free from all Objections under the Royal Sanction so lately obtained:—That by the Estimate the Governor laid before us this Session, he computes the Sum of *One Hundred and Twenty-seven Thousand Pounds* as necessary to be raised for the Defence of the Province in the ensuing Year; and yet, upon the most exact Computation we have been able to make, no more than *Thirty Thousand Pounds* could be raised upon the Province in one Year by his restricted Powers, and not one Third of his proposed Estimate, by the Addition of all the other Measures he has proposed, if the House were so insensible of the Duty they owe their Constituents, as to take their Money-Laws from him only:—That therefore we desire to know his final Result upon this Bill, which we once more send up for his Concurrence; and if he should notwithstanding continue to refuse his Assent to it as it now stands, we must refer it to his Honour to pay the Forces by him raised, or to disband them, as he shall judge he can best answer for his Conduct to his Majesty, whose Colony we apprehend to be in imminent

Danger, and for the Defence whereof we have in vain endeavored to make the necessary Provision as far as lay in our Power."

The Committee appointed to prepare a Draught of a congratulatory Address to Lord *Loudoun*, reported the same to the House, and it was read, agreed to, and ordered to be transcribed, that it may be presented to his Lordship upon his Arrival.

Upon Motion made,

Resolved, That *William Franklin* have Leave to resign his Office of Clerk to this House, that he may accompany his Father, appointed one of the Commissioners to negotiate our Affairs in *England*; and that another Person be chosen to serve as Clerk, during the Absence of the said *Franklin*.

A Petition from *Thomas Moore*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Petitioner understanding that the present Clerk of this House is about to embark for *England*; he therefore prays that he may be appointed to that Office.

And the said Petition being again read, and considered, it was, after some Time spent therein,

Resolved, That *Thomas Moore* be Clerk to this House, for the remaining Part of the current Year.

The Address to Lord *Loudoun* being transcribed, was again read, and is as follows, *viz.*

To his Excellency the Right Honourable JOHN Earl of LOUDOUN, Commander in Chief of all His Majesty's Forces in North-America.

May it please your LORDSHIP,

WITH unfeigned Sincerity permit us to congratulate your Lordship on your safe Arrival in *America*, and in particular to this Province.

We esteem it a remarkable Instance of his Majesty's Royal Care and Paternal Regard for his Subjects in *America*, that he has been pleased to commissionate a Peer of his Realm, who has given the most demonstrative Proofs of his firm Attachment to his Royal Person and Family, and who has nothing more at Heart, than the Glory of his Sovereign's Arms, the Support of his Royal House, and the common Interest of his Kingdoms and People, to conduct his Forces, to fight his Battles, and protect his loyal and faithful Subjects in these Colonies, from the insidious Attempts of the most perfidious and merciless Enemies.

It is with Pleasure we reflect, that your Lordship's ap-

proved Skill in military Affairs, known Secrecy in Council, and experienced Valour in the Field, afford us a Prospect of Success in your glorious Undertakings.

The noble, loyal and vigorous Part your Lordship acted during the whole Course of the last Rebellion in *North-Britain*, is a pleasing Presage to us that his Majesty's Arms in *America* may, under God, be crowned with Victories, and his Colonies restored to the happy State of Peace and Tranquillity, through your Lordship's Prudence, Activity and Conduct.

May the same Almighty Providence, which hath hitherto prospered your Endeavours in Behalf of your Country, watch over your noble Person, attend and protect you in the Day of Battle, and crown with Honour and Success all your Attempts for his Majesty's Service, and the Good of his People."

And the Address being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. Fox, Mr. Leech, Mr. Roberdeau, Mr. Hughes, Mr. Baynton, Mr. Galloway, Mr. Masters, Mr. West and Mr. Yorke be a Committee to wait upon his Excellency, Lord Loudoun, upon his Arrival to this City, and present the said Address.

The Bill for the further Continuance of the Act relating to Legacies, being engrossed, was read, and compared at the Table.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

February 21, 1757.

The House met, pursuant to their Adjournment.

The Gentlemen appointed to wait upon the Governor with the two Bills, and Messages of the House, report, that they had delivered the same according to Order; and that the Governor was pleased to say, they should be considered as soon as he could give the necessary Attention to them; and that he should be glad to be furnished with a Copy of the Report on his last Message.

Ordered, That the Clerk make out a Copy of the said Report, in order to be sent up to the Governor.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 22, 1757.

The Committee appointed upon the Report of our present Grievances, made their Report in Writing, which was read, and ordered to lie upon the Table, for the Perusal of the Members.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

February 23, 1757.

The Report of the Committee of Grievances being transcribed, and read the second time, follows in these Words, *viz.*

IN Obedience to the Order of the House, we have drawn up the Heads of the most important Aggrievances that occur to us, which the People of this Province with great Difficulty labour under; the many Infractions of the Constitution, in manifest Violation of the Royal Grant, the Proprietary Charters, the Laws of this Province, and of the Laws, Usages and Customs of our Mother Country, and other Matters, which we apprehend call aloud for Redress. They are as follow:

First, By the Royal Charter, which has ever been, ought to be, and truly is, the principal and invariable Fundamental of this Constitution, King CHARLES the Second did give and grant unto *William Penn*, his Heirs and Assigns, the Province of *Pennsylvania*; and also to him and his Heirs, and his or their Deputies or Lieutenants, free, full and absolute Power, for the good and happy Government thereof, to make and enact any Laws, *according to their best Discretion, by and with the Advice, Assent and Approbation of the Freemen of the said Country, or of their Delegates or Deputies*, for the raising of Money, or any other End appertaining to the Public State, Peace or Safety of the said Country. By the Words of this Grant it is evident, that full Powers were granted to the Deputies and Lieutenants of *William Penn*, and his Heirs, to concur with the People in framing Laws for their Protection, and the Safety of the Province, according to their "best Discretion," independent of any Instructions or Directions they should receive from their Principals. And it is equally obvious to your Committee, that the People of this Province, and their Representatives, were interested in this Royal Grant, and, by Virtue thereof, have an original Right of Legislation inherent in them, which neither the Proprietaries, nor any other Person whatsoever, can divest them of, restrain or abridge, without manifestly violating and destroying the Letter, Spirit and Design of this Grant.

Nevertheless, we unfortunately find, that the Proprietaries of this Province, regardless of this sacred Fundamental of all our Rights and Liberties, have so abridged and restricted their late and present Governor's Discretion in Matters of Legislation, by their illegal, impracticable and unconstitutional Instructions and Prohibitions, that no Bill, for granting Aids and Supplies to our most gracious Sovereign, be it ever so reasonable, expedient and necessary, for the Defence of this his Majesty's Colony, and Safety of his People, unless it be agreeable thereto, can meet with his Approbation; by Means whereof the many considerable Sums of Money which have been offered for those Purposes by the Assemblies of this Province, ever anxious to maintain his Honour and Rights, have been rejected, to the great Encouragement of his Majesty's Enemies, and the imminent Danger of the Loss of this his Colony.

Secondly, The Representatives of the People in General Assembly met, by Virtue of the said Royal Grant, and the Charter of Privileges, granted by the said *William Penn*, and a Law of this Province, have Right to, and ought to enjoy, all the Powers and Privileges of an Assembly, according to the Rights of the Freeborn Subjects of *England*, and as is usual in any of the Plantations in *America*; that it is an indubitable, and now an incontestable Right of the Commons of *England*, to grant Aids and Supplies to his Majesty in any Manner they think most easy to themselves and the People; and that they are the sole Judges of the Measure, Manner and Time of granting and raising the same.

Nevertheless, the Proprietaries of this Province, in Contempt of the said Royal Grant, Proprietary Charter, and Law of this Colony, designing to subvert the Fundamentals of this Constitution, to deprive the Assembly and People of their Rights and Privileges, and to assume an arbitrary and tyrannical Power over the Liberties and Properties of his Majesty's Liege Subjects, have so restrained their Governors by their despotic Instructions, which are not to be varied from, and are particularly directory in the framing and passing of Money-Bills and Supplies to his Majesty, as to the Mode, Measure and Time, that it is impossible for the Assembly, should they lose all Sense of their most essential Rights, and comply with these Instructions, to grant sufficient Aids for the Defence of this his Majesty's Province from the common Enemy.

Thirdly, In Pursuance of sundry Acts of General Assembly, approved of by the Crown, a natural Right, inherent in every Man, antecedent to all Laws, the Assemblies of this Province have had the Power of disposing of the public Monies that have been raised for the Encouragement of Trade, and Support of Government, by the Interest-Money arising by the Loan of the Bills of Credit, and the Excise. No Part of these Monies was ever paid by the Proprietaries, or ever raised on their Estates; and therefore, they can have no Pretence of Right to a Voice in the Disposition of them. They have ever been applied with prudent Frugality, for the Honour and Advantage of the Public, and the King's immediate Service, to the general Approbation of the People. The Credit of the Government has been preserved, and the Debts of the Public punctually discharged. In short, no Inconveniencies, but great, and many, Advantages have accrued from the Assembly's prudent Care and Management of these Funds.

Yet the Proprietaries, resolved to deprive the Assemblies of the Power and Means of supporting an Agent in *England*, and of prosecuting their Complaints, and remonstrancing their Aggrievances, when injured or oppressed, to his Majesty and his Parliaments, and to rob them of this natural Right, which has been so often approved of by their gracious Sovereign, have, by their said Instructions, prohibited their Governor from giving his Assent to any Laws for emitting or re-emitting any Paper Currency or Bills of Credit, or for raising Money by Excise, or any other Method, unless the Governor or Commander in Chief for the Time being, by Clauses to be inserted therein, have a Negative in the Disposition of the Monies arising thereby, let the languishing Circumstances of our Trade be ever so great, and a further or greater Medium become ever so necessary for its Support.

Fourthly, By the Laws and Statutes of *England*, the chief Rents, Honours and Castles of the Crown are taxed, and pay their Proportion to the Supplies that are granted to the King for the Defence of the Realm, and Support of Government. His Majesty, the Nobility of the Realm, and all his *British* Subjects, do now actually contribute their Proportion towards the Defence of *America* in general, and this Province in particular; and it is in a more especial Manner the Duty of the Proprietaries to pay their Proportion of a Tax for the immediate Preservation of their own Estates in this Province. To exempt, therefore, any Part of their Estates from their reasonable Part of this necessary Burden, is as unjust as it is illegal, and as new as arbitrary.

Yet the Proprietaries, notwithstanding the general Danger to which the Nation and its Colonies are exposed, and great Distress of this Province in particular, by their said Instructions, have prohibited their Governors from passing Laws for the Raising of Supplies for its Defence, unless all their located, unimproved and unoccupied Lands, Quitrents, Fines, and Purchase-Monies on Interest, the much greater Part of their enormous Estates in this Colony, are expressly exempted from paying any Part of the Tax.

Fifthly, By Virtue of the said Royal Charter, the Proprietaries are invested with a Power of "doing every Thing which unto a complete Establishment of Justice, unto Courts and Tribunals, Forms of Judicature, and Manner of Proceedings do belong." It was certainly the Import and Design of this Grant, that the Courts of Judicature should be formed, and the Judges and Officers thereof hold their Commissions in a Manner not repugnant, but agreeable, to the Laws and Customs of *England*; that thereby they might remain free from the Influence of Persons in Power, the Rights of the People might be preserved, and their Properties effectually secured. That the Grantee *William Penn*, understanding the said Grant *in this Light*, did, by his original Frame of Government, covenant and grant with the People, that the Judges, and other Officers, should hold their Commissions during their good Behaviour, and no longer.

Notwithstanding which, the Governors of this Province have, for many Years past, granted all the Commissions to the Judges of the King's Bench, or Supreme Court of this Province, and to the Judges of the Court of Common-Pleas of the several Counties, to be held during their Will and Pleasure. By Means whereof, the said Judges being subject to the Influence and Directions of the Proprietaries and their Governors, their Favourites and Creatures, the Laws may not be duly administred or executed, but often wrested from their true Sense, to serve particular Purposes; the Foundation of Justice may be liable to be destroyed, and the Lives, Laws, Liberties, Privileges and Properties of the People thereby rendered precarious, and altogether insecure, to the great Disgrace of our Laws, and the inconceivable injury of his Majesty's Subjects.

Your Committee further beg Leave to add, that besides these Aggrievances, there are other Hardships the People of this Province have experienced, that call for Redress. The Inlistment of Servants, without the least Satisfaction being

made to the Masters, has not only prevented the Cultivation of our Lands, and diminished the Trade and Commerce of the Province, but is a Burden extremely unequal and oppressive to Individuals; and should the Practice continue, the Consequence must prove very discouraging to the further Settlement of this Colony, and prejudicial to his Majesty's future Service. Justice therefore demands that Satisfaction should be made to the Masters of such inlisted Servants, and that the Right of Masters to their Servants be confirmed and settled. But as those Servants have been inlisted into his Majesty's Service for the general Defence of *America*, and not of this Province only, but all the Colonies, and the Nation in general have, and will receive, equal Benefit from their Service, this Satisfaction should be made at the Expence of the Nation, and not of this Province only.

That the People now labour under a Burden of Taxes, almost insupportable by so young a Colony, for the Defence of its long extended Frontier, of about Two Hundred Miles, from *New-Jersey* to *Maryland*, without either of those Colonies, or the Three Lower Counties, on *Delaware*, contributing their Proportion thereto, though their Frontiers are in a great Measure covered and protected by our Forts: And should the War continue, and with it this unequal Burden, many of his Majesty's Subjects in this Province will be reduced to Want, and the Province, if not lost to the Enemy, involved in Debt, and sunk under its Load.

That notwithstanding this Weight of Taxes, the Assemblies of this Province have given to the general Service of the Nation *Five Thousand Pounds* to purchase Provisions for the Troops under General *Braddock*: *Two Thousand Nine Hundred Eighty-five Pounds* and *Eleven-pence* for clearing a Road by his Orders: *Ten Thousand Five Hundred and Fourteen Pounds Ten Shillings* and *One Penny* to General *Shirley*, for the purchasing Provisions for the *New-England* Forces; and expended the Sum of *Two Thousand Three Hundred and Eighty-five Pounds One Shilling* and *Two-pence Halfpenny*, in supporting the Inhabitants of *Nova Scotia*, which likewise we conceive ought to be a national Expence.

And that his Majesty's Subjects, the Merchants and Insurers in *England*, as well as the Merchants here, and elsewhere, did, during the last War, and will, during this present War, be greatly injured in their Property, Trade and Commerce, by the Enemy's Privateers on this Coast, and at our Capes, unless some Method be fallen on to prevent it.

Wherefore your Committee are of Opinion, that the Commissioners intended to be sent to *England* to solicit a Removal and Redress of the many Infractions and Violations of the Constitution, should also have it in Charge, and be instructed to represent to our most gracious Sovereign, and his Parliaments, the several unequal Burdens and Hardships before mentioned, and endeavour to procure Satisfaction to the Masters of such Servants as have been enlisted, and the Right of Masters to their Servants established and confirmed, and obtain a Re-payment of the said several Sums of Money, some Assistance towards defending our extensive Frontier, and a Vessel of War to protect the Trade and Commerce of this Province.

Submitted to the Correction of the House, by

	JOSEPH FOX,	JOSEPH GALLOWAY,
<i>February 22, 1757.</i>	THOMAS LEECH,	WILLIAM MASTERS,
	JOHN HUGHES,	JOSEPH GIBBONS,
		THOMAS YORKE."

Ordered, That Mr. Roberdeau and Mr. West wait upon the Governor, and deliver the foregoing Report; and request his Honour would be pleased to furnish the House with a Copy of the Reasons he proposed to send Home, in Support of his refusing his Assent to the *Hundred Thousand Pound Bill* presented to his Honour by this Assembly.

Then the House adjourned to Three o'Clock, *P. M.*

The Gentlemen appointed to wait upon the Governor with a Copy of the Report of the Committee, and to desire he would lay before us the Reasons he proposed to transmit Home in Support of his Refusal to pass our first Bill for granting *One Hundred Thousand Pounds* to the King's Use, report, that his Honour was pleased to say, "That he had made a Minute concerning it on a Piece of Paper, but on looking for that Paper he could not find it; however, the Purport of it, he said, was, that if the House would furnish him with a Copy of the Representation they intended to send Home against his not giving his Assent to that Bill, he would also give them a full Copy of his Reasons for refusing to pass it; that he would act candidly, and above-board; that he had not yet sent those Reasons Home, nor would he do it till he had laid them before the Assembly, provided the Assembly furnished him with a Copy of their Representation."

Then the House adjourned to *Tuesday* next, at Five o'Clock, *P. M.*

March 1, 1757.

The House met, pursuant to their Adjournment.

A Petition from the Justices of *Chester* County, setting forth the Inconvenience of limiting the Courts of Quarter Session to the Space of two Days only, as much Business often comes before them, which cannot be accomplished in so short a Time, was presented to the House, read, and

Ordered to lie on the Table.

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Masters*, Mr. *Gibbons*, Mr. *West* and Mr. *Yorke* be a Committee to bring in a Draught of the Instructions of the House to *Benjamin Franklin*, Esq; one of the Commissioners now about to embark for *England*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 2, 1757.

Thomas Moore, late Clerk of Assembly, desiring Leave of the House to resign his Office, as too much interfering with his other Engagements in Business; a Petition from *Charles Moore*, requesting the said Office, was presented to the House; and being read,

Resolved, N. C. D. That *Charles Moore* be the Clerk of this House for the remaining Part of the Year, in Place of *Thomas Moore*, who has resigned.

Ordered, That *Thomas Moore* give Notice to his Brother *Charles Moore*, that he do attend the House accordingly To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 3, 1757.

Charles Moore attending according to Order, took and subscribed the usual Qualification as Clerk of this House.

Ordered, That Mr. *Fox*, Mr. *Leech*, Mr. *Hughes*, Mr. *Robertdeau*, Mr. *Galloway* and Mr. *Masters* be a Committee to consider the Charter of the City of *Philadelphia*, and Conduct of the Mayor and Commonalty of the said City, and report thereupon to the House.

The Speaker brought into the House a Letter which had been put into his Hands by Mr. *Nathaniel Vernon*, which the said *Vernon* had received from the Reverend Mr. *William Smith*, Provost of the Academy, concerning the late Election at *Northampton*, in the said *Smith's* own Hand-writing, but the Name torn off.—And the said Letter being read,

Ordered, That it be kept with the other Papers relating to the said late Election for *Northampton County*.

The Committee appointed to draw up Instructions from the House to *Benjamin Franklin*, Esq; one of the Commissioners appointed to solicit the Redress of our Grievances in *Great-Britain*, made a Report that they had essayed a Draught of the said Instructions, which they delivered in; and the same being read,

Ordered, That they lie upon the Table for the Perusal of the Members.

Resolved, That the Committee who brought in the said Instructions be a Committee to collect all the Papers and Proofs necessary for the said Agent to take with him.

The Draught of a Bill for regulating the Hire of Carriages to be employed in the King's Service within this Province, being read, was re-committed to the Committee who brought it in, with the Addition of the following Members, *viz.* Mr. Fox, Mr. Leech, Mr. Galloway and Mr. James Wright.

Then the House adjourned to Three o'Clock, P. M.

Ordered, That the Clerk, upon Application of the Neutrals to him, shall write to the Overseers of the Poor for the several Townships, and direct them to put the Law, entituled, *An Act for binding out and settling such of the Inhabitants of Nova Scotia, imported into this Province, as are under Age, and for maintaining the Sick and Maimed, at the Charge of the Province*, in Execution, in such Manner that those who cannot provide for their own Subsistence, as by the said Law is provided, do not perish for Want.

Upon Motion, a Bill for supplying the Western *Indians*, Friends and Allies of *Great-Britain*, with Goods at more easy Rates, &c. which had passed the late Assembly, being taken up, was read; and, after some Time spent thereon,

Ordered, That Mr. Leech, Mr. Galloway, Mr. Masters, Mr. Hamton, Mr. Ashbridge, Messieurs John and James Wright and Mr. West be a Committee to bring in a Bill for the Purposes in the said Bill mentioned.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 4, 1757.

Ordered, That Mr. Pearne and Mr. Grubb wait on the Governor, and request his Honour will be pleased to inform them whether he is yet come to any Result upon the several Bills which have been some Time before him, but more particularly

upon the Supply Bill, as the House have been long waiting his Result upon that Bill.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to the Order of the House; and that his Honour was pleased to say, he had all the afore-mentioned Bills under Consideration, but the Supply Bill in particular, upon which he thinks much Deliberation necessary.

Then the House adjourned to Four o'Clock, *P. M.*

The Committee appointed to bring in a Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, brought in a Bill for that Purpose, which was read the first time.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 5, 1757.

The Bill, entituled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service within the inhabited Parts of this Province*, was read the second time, and ordered to be transcribed for a third Reading.

The Governor sent down to the House, by the Secretary, a Message, with a Letter to his Honour from Lord Loudoun, recommending a general Embargo on the Vessels of this Port; and desired the said Letter might be returned early in the Afternoon; which being read,

Ordered, That the Clerk return the same accordingly.

Then the House adjourned to *Tuesday* next, at Five o'Clock in the Afternoon.

March 8, 1757.

The House met, pursuant to their Adjournment.

The Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, &c. being transcribed, and read the third time,

Resolved, That the said Bill do pass.

Ordered, That Mr. Walker and Mr. Douglass wait upon the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 9, 1757.

The Members appointed to wait on the Governor with the Bill for regulating the Hire of Carriages, &c. report, they had

delivered the same accordingly; and that his Honour was pleased to say, he would take it into immediate Consideration.

The House then resumed the Consideration of their Instructions to *Benjamin Franklin*, Esq; which were read a second time; and, after some Time spent thereon,

Adjourned to Three o'Clock, *P. M.*

The Instructions being again read, by Paragraphs, and considered,

The House adjourned to Ten o'Clock To-morrow Morning.

March 10, 1757.

The House having gone through with their Alterations and Amendments on the Instructions to *Benjamin Franklin*, Esq;

Ordered, That the same be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to bring in a Bill for regulating the *Indian Trade*, reported to the House, that they had essayed a Draught of said Bill, which they delivered in, and the same being read,

Ordered, That it lie on the Table for the Perusal of the Members.

The Petition of *John Carland*, a Resident in *Chester County*, was presented to the House and read, setting forth the distressful Situation of himself and Family, occasioned by the Injustice of *William Moore*, Esq; one of the Magistrates of said County, in having fraudulently possessed himself of the Petitioner's Effects, and refusing, contrary to Law or Reason, to give up the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 11, 1757.

The House resumed the Consideration of the Bill, entitled, *An Act for preventing Abuses in the Indian Trade*, &c. which was read the second time, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 12, 1757.

The Bill for preventing Abuses in the *Indian Trade*, &c. being transcribed, and read the third time,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Hughes*, and Mr. *West* wait on the Governor with the same, for his Assent thereto.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

March 14, 1757.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian Trade*, &c. reported to the House, that they had delivered the same according to Order.

Then the House adjourned to Nine o'Clock To-morrow Morning.

March 15, 1757.

The Governor returned to the House, by the Secretary, the Bill, entituled, *An Act to render the Quartering of Soldiers on the Public-houses of this Province less burdensome*; also, the Bill for regulating the Hire of Carriages, &c. with a Message, that his Honour was ready to pass the same into Laws, whenever presented to him for that Purpose.

The Secretary likewise delivered to the House a Letter, dated at *Fort Augusta*, *March 10, 1757*, from Major *Burd* to *George Croghan*, Esq; Deputy to *Sir William Johnson* for *Indian Affairs*, with Advice of the Arrival at said Fort of five friendly *Indians*; and that *Joseph Peepy* and *Lewis Montour*, with Ninety other *Indians*, were expected there in a few Days; and desired from the Governor, that Provision might be made by the House for Support of said *Indians*. Also, that the *Massachusetts Indian Trade Bill* be sent up to his Honour.

Ordered, That the Clerk wait upon the Governor with the said Bill.

Ordered, That *Benjamin Franklin*, Esq; be added to the Committee appointed to wait on Lord *Loudoun*, with an Address from the House of Assembly.

Ordered. That the afore-mentioned two Bills, returned by the Secretary, be engrossed, in order to be enacted into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 16, 1757.

The Committee appointed to wait on his Excellency the Earl of *Loudoun*, with an Address from the House, reported,

they had delivered the same according to Order, and that his Lordship was pleased to return a verbal Answer to the following Effect, *viz.*

"That he was obliged to the House for their kind Address.— That they had judged very justly of the Intention of his Majesty in sending him to *America*; and that he would do the utmost in his Power to give the People here all the Assistance possible; but recommended, that at this Time all Animosities and Differences should be laid aside, and Harmony subsist among us: For, if the Colonies did not do their Parts, and Matters should not succeed to their Expectations, they must not blame him; but should they perform what they ought on their Parts, they might be assured nothing should be wanting on his."

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Baynton* and Mr. *Wright* wait on the Governor, and acquaint him, that the two Bills, returned on *Tuesday* by the Secretary, being engrossed, the House beg to know, whether any Hour To-morrow Forenoon will be convenient to his Honour to pass the same into Laws.

The Gentlemen appointed to wait on the Governor, reported to the House, they had delivered the above Message according to Order, and that his Honour was pleased to say, he would attend in the Council Chamber at Twelve o'Clock To-morrow, in order to enact the said Bills into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 17, 1757.

The House being informed that two Members of Council were attending in the Council Chamber, by Order of the Governor, to compare the three Bills, to which his Honour hath given his assent, with their engrossed Copies,

Ordered, That Mr. *Pearne* and Mr. *John Wright* do meet the said Members of Council for that Purpose.

The Gentlemen appointed to join the Members of Council in comparing the aforesaid Bills, reported to the House, they had compared the same with their engrossed Copies, and found them to agree.

Ordered, That Mr. *Pearne* and Mr. *John Wright* do see the Great Seal affixed to the said Laws, after they shall be enacted, and the same deposited in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber.—And being returned, the

Speaker resumed the Chair, and reported, that the House had waited on the Governor with the three Bills, entituled as follow, *viz.*

An ACT for the further Continuance of an Act of General Assembly of this Province, entituled, An Act for the more easy Recovery of Legacies.

An ACT to render the Quartering of Soldiers on the Public-houses of this Province less burdensome. And,

An ACT for regulating the Hire of Carriages to be employed in his Majesty's Service within the inhabited Parts of this Province.

To all which the Governor was pleased to give his Assent, by enacting the same into Laws.

Ordered, That the Militia Bill be re-committed to the Committee that brought it in, with the Addition of the following Members, *viz.* Mr. *Hughes*, Mr. *Masters*, Mr. *Walker*, Mr. *John Wright*, Mr. *M'Connaughy* and Mr. *West*.

The Gentlemen appointed to see the Great Seal affixed to the three Laws passed by the Governor this Forenoon, and the said Laws deposited in the Rolls Office, reported to the House, that the same had been done according to Order.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 18, 1757.

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor, and acquaint him, that the Business of the House being chiefly before his Honour, and in the Hands of Committees, the Members incline to make a short Adjournment to *Monday* next, unless the Governor hath any Thing to lay before them which requires their immediate Consideration.

The Gentlemen appointed to wait on the Governor, reported to the House, they had delivered the above Message according to Order, and that his Honour was pleased to say, he had nothing prepared at present to lay before the House; but on *Monday* next should have several Matters in Readiness for their Consideration.

The Secretary, by a verbal Message from the Governor, requested that the Report of the Lords of Trade on the *Sixty Thousand Pounds Act*, sent down to the House some Time ago, might be returned to his Honour.

Ordered, That the Clerk wait upon the Governor with the said Report in the Afternoon.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

March 21, 1757.

The House met, pursuant to their Adjournment.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and is as follows:

GENTLEMEN,

'BEING convinced that nothing could more effectually secure the People of this Province from the Attacks of the Enemy than a well trained and regular Militia, I thought it my Duty to recommend it to you in the most pressing Terms, at your first Meeting in *October* last, to frame a just and equitable Militia Bill with all possible Dispatch.

'Moved by the same Sense of Duty, I must again request that you will not suffer a Matter of so great Importance to be any longer delayed.

March 21, 1757.

WILLIAM DENNY."

The Secretary likewise brought down the Bill for preventing the Exportation of Provisions, naval or warlike Stores, from this Province, &c. and acquainted the House, that the Governor adhered to his Amendments thereon.

At the same Time the Secretary returned the Bill for preventing Abuses in the *Indian Trade*, &c. with the Governor's Amendments thereon in Writing.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 22, 1757.

The House proceeded to consider the two Bills brought down Yesterday by the Secretary from the Governor, with his Honour's Amendments to one of them, entituled, *An Act for preventing Abuses in the Indian Trade*, &c. and referred the further Consideration thereof to the Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by the Secretary, sent down the Bill, entituled, *An Act for granting One Hundred Thousand Pounds to the King's Use*, &c. with the following verbal Message:

"The Governor returns the Bill, entituled, *A Supplement to the Act, entituled, An Act for granting Sixty Thousand Pounds to the King's Use*, &c. and commands me to acquaint the House, that though his Sentiments are still the same, respecting it, as before, yet the Intelligence now laid before you has determined him to give his Assent to it, and will pass it To-morrow at One o'Clock, if it can be engrossed and ready by that Time."

The House again took into their Consideration the Governor's Amendments to the Bill, entituled, *An Act for preventing Abuses in the Indian Trade, &c.* and the Question being put, Whether the following Amendment should be admitted therein? *viz.*

[“And

shall be, and are hereby nominated and appointed Commissioners of *Indian Affairs* for this Province, to do, execute and perform the several Duties and Things required of them by this Act, during the Continuance thereof; and the said Commissioners shall, once in every Year, settle and adjust their Accounts with a Committee of the Council, to be appointed by the Governor and Commander in Chief of this Province for the Time being, in Conjunction with a Committee to be nominated by the Assembly for that Purpose, and shall be allowed for their Services such a Reward or Salary as the said respective Committees shall think reasonable: But, before the said Commissioners shall enter into the Execution of the said Trust, each of them shall take an Oath or Affirmation before some Magistrate having Power to administer the same, that he will well and truly execute the Office of a Commissioner of *Indian Affairs*, to the best of his Skill, Ability and Knowledge; and moreover shall enter into a Bond to our Sovereign Lord the King, his Heirs and Successors, with two sufficient Securities, in the penal Sum of *Pounds,* conditioned for the due and faithful Discharge of the Trust reposed in him by this Act.

“And be it further enacted by the Authority aforesaid, That if any of the said Commissioners, for *Indian Affairs*, shall happen to die, or be removed from his Office for Misbehaviour, or any other legal Cause, during the Continuance of this Act, another fit and suitable Person shall be appointed in his Stead, by Act of General Assembly of this Province; and until such Appointment is made, the surviving or remaining Commissioners shall be the Commissioners for *Indian Affairs*, to all Intents and Purposes, and are hereby authorized to act in the said Office, and exercise the same Powers as all the said Commissioners might or could do before such Death or Removal.”]

It was resolved in the Negative, N. C. D.

The House then proceeded to consider the other Amendments to the said Bill; to some of which they agreed.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor with the Bill, entituled, *An Act for preventing Abuses in the Indian Trade, &c.* and with the Answer of the House to

the Governor's Amendments thereon, and desire his Assent to the said Bill as it now stands; also, that his Honour would be pleased to appoint a Conference with a Committee of the House on the Bill, entitled, *An Act to prevent the Exportation of Provisions, naval or warlike Stores, &c.* for which Purpose the House will nominate some of their Members, who shall wait on the Governor at any Time and Place he may be pleased to appoint.

Ordered, That Mr. Leech, Mr. Golloway, Mr. Pearne, Mr. Walker, Mr. Gibbons, Mr. Grubb and Mr. Carpenter be a Committee to bring in a Bill for obtaining a better Return of Property to render the Taxing of the Inhabitants of this Province more just and equal.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

March 23, 1757.

The Gentlemen appointed to wait on the Governor with the Bill, entitled, *An Act for preventing Abuses in the Indian Trade, &c.* with the Amendments, reported, they had delivered the same according to Order, and requested a Conference as directed; to which the Governor was pleased to say, he was sorry to differ in Opinion from the House on the Bill for preventing Abuses in the *Indian Trade, &c.* and would therefore re-consider it: But as to a Conference on the Bill for preventing the Exportation of Provisions, naval and warlike Stores, &c. he knew no Use it could be of, as he was not at Liberty to recede from his Amendments to the said Bill. He would, however, communicate to the House the Reasons which prevailed on him to make those Amendments, and if they should afterwards request a Conference, he would then appoint one.

The Clerk having brought into the House an engrossed Copy of the Bill, entitled, *A Supplement to the Act, entitled, An Act for granting Sixty Thousand Pounds to the King's Use, &c.*

Ordered, That Mr. Leech and Mr. Pearne do collate the said engrossed Copy with its Original, and report thereon to the House.

The Gentlemen appointed to compare the aforesaid engrossed Bill, reported, that they had, with two Members of Council, compared the same, and found it to agree with the Original.

The Secretary acquainted the House, that the Governor was in the Council Chamber, and requested their Attendance,

in order to enact the Bill, to which he had given his Assent, into a Law.

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on his Honour with the Bill, entitled, *A Supplement to an Act, entitled, An Act for granting the Sum of Sixty Thousand Pounds to the King's Use, and for striking Fifty-five Thousand Pounds thereof in Bills of Credit, and to provide a Fund for sinking the same, and for granting to his Majesty the additional Sum of One Hundred Thousand Pounds*, to which the Governor was pleased to give his assent, by enacting the same into a Law.

Ordered, That Mr. Fox and Mr. M'Connaughy do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

Then the House adjourned to Four o'Clock P. M.

The Members appointed to see the Great Seal affixed to the Law passed in the Forenoon, and the same deposited in the Rolls Office, reported, that they had seen both done according to Order.

Mr. Fox also reported, that in Pursuance of an Order of the House he had waited on the Receiver General, and pressed the Discharge of the Residue of the Proprietaries Free Gift to this Province of *Five Thousand Pounds*; in Answer to which, the Receiver assured him, he had already paid more towards the Discharge of the said *Five Thousand Pounds* than he had received of the Arrears of Quitrents, from which only the Payment thereof was to arise.

Ordered, That Mr. Galloway and Mr. West wait on the Governor, and request he will be pleased to return to the House their Bill for granting to his Majesty *One Hundred Thousand Pounds*, &c. offered to his Honour in *January* last, and rejected by him.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 24, 1757.

The Members appointed to wait on the Governor, and request he would be pleased to return to the House the Bill formerly offered him for granting *One Hundred Thousand Pounds* to the King's Use, &c. reported they had done the same according to Order; and that his Honour was pleased to say, he had not the Bill then by him, but would order the Secretary to send it to the House immediately.

The Clerk having informed the House, that the Secretary had delivered to him the Bill requested from the Governor,

Ordered, That the same do lie upon the Table for the Perusal of the Members.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration the Governor's Message of the Fifteenth Instant, requesting Provision be made for a Number of Friendly *Indians* coming into the Province,

Resolved, That the Provincial Commissioners do make the Provision necessary for that Purpose.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait upon the Governor, and acquaint him with the said Resolve.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order; and that his Honour was pleased to say, he was glad the House had recommended to the Commissioners to make suitable Provision for the said *Indians*.

A Petition, from the Overseers of the Poor of the City of *Philadelphia*, was presented to the House and read, praying a Law may be framed for establishing a Work-house in the said City.

Ordered, That the said Petition lie on the Table for the Perusal of the Members.

Mr. *Hughes* requesting Leave of the House to be absent four or five Days, on very urgent Business, was excused for that Time.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 25, 1757.

The House resumed the Consideration of the Militia Bill; upon which, having spent some Time, they adjourned to Four o'Clock, *P. M.*

The House again resumed the Consideration of the Bill for forming and regulating the Militia of this Province, and then adjourned to Ten o'Clock To-Morrow Morning.

March 26, 1757.

The House went upon the further Consideration of the Militia Bill, in which having made some Alterations and Amendments, they adjourned to *Monday* next, at Three o'Clock, *P. M.*

March 28, 1757.

The House met, pursuant to their Adjournment.

Mr. Speaker, by Order of the House, brought into the House a Draught of a Bill for striking the Sum of *Two Thousand Eight Hundred and Forty Pounds*, to be sunk by Payments to be made by the Proprietaries Receiver General, which was read, and ordered to lie on the Table for the Perusal of the Members.

Ordered, That the Committee of Grievances do make out a List of all the Indentures delivered to the House, of Servants inlisted in his Majesty's Service, and calculate on each the Sum respectively due to every Master of such Servants, and lay a Copy of the same before the House with all convenient Dispatch.

Then the House adjourned to Ten o'Clock Tomorrow Morning.

March 29, 1757.

The House again took up the Militia Bill.

Mr. *M'Connaughy* requesting, in Consideration of his constant Attendance on the House for a long Time past, to be absent for the remaining Part of the Session, was excused accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

The House went again on the Militia Bill; and, after some Time spent thereon, adjourned to Ten o'Clock To-morrow Morning.

March 30, 1757.

The House having gone through the Militia Bill, ordered that the same be transcribed for a third Reading.

An Address from the Meeting of Suffering of the People called *Quakers*, for the Province of *Pennsylvania*, was presented to the House and read, setting forth, that they had been informed, the House "were preparing a Law for establishing a Militia in this Province," and praying that they would make such Provision therein as to preserve the Liberty of Conscience heretofore enjoyed by them and their Brethren.

Then the House adjourned to Four o'Clock, *P. M.*

The Militia Bill being transcribed according to Order, and brought into the House, was read the third time; and two Riders offered thereon by some of the Members, being likewise three times read, and agreed to by the House, were annexed to the Bill.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Galloway* wait on the Governor with the same for his Concurrence.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 31, 1757.

The Members appointed to wait on the Governor with the Bill for forming and regulating the Militia of this Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it immediately into Consideration, and give it all the Dispatch in his Power.

The Bill for striking the Sum of *Two Thousand Eight Hundred and Forty Pounds*, to be sunk by Payments to be made by the Proprietaries Receiver General, was read a second time, and agreed to by the House.

Ordered, That the said Bill be transcribed for a third Reading.

Then the House adjourned to Four o'Clock, *P. M.*

The Bill for striking the Sum of *Two Thousand Eight Hundred and Forty Pounds*, &c. being transcribed, was read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor therewith for his Concurrence.

Mr. *Galloway* having laid before the House an Account, exhibited by Mr. *William Franklin*, of Postage of Letters to the Governor on the Business of the Province;

Ordered, That the same be referred to the Committee of Accounts.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 1, 1757.

The Members appointed to wait on the Governor with the Bill for striking *Two Thousand Eight Hundred and Forty Pounds*, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill immediately into Consideration, and give it all the Dispatch in his Power.

The Petition of *John Errit* was presented to the House and read, praying Redress for the Injustice done him by *William Moore*, Esq; a Magistrate of *Chester County*.

A Petition from several of the Inhabitants of the said

County was also presented and read, setting forth the Extortion of Constables, and praying Relief against the same.

The House taking the said Petitions, and many others heretofore presented against *William Moore*, Esq; into Consideration,

Ordered, That the same be referred to the Committee of Aggrievances, and that Mr. *Galloway* be added to the said Committee in the Room of *Benjamin Franklin*, Esq; also, that the Clerk of Assembly acquaint the said *William Moore* with the Resolution of the House to enquire into the Justice of the aforesaid Complaints against him at their next Session, and that he may in the mean Time be furnished with Copies of the Petitions by the Clerk, upon paying the Expense of transcribing the same.

Ordered, That Mr. *Galloway* be also added to the Committee of Correspondence, in the Room of *Benjamin Franklin*, Esq;

Ordered, That the Accounts of the Expences of cutting the *Ohio Road*, of furnishing Provisions to General *Shirley*, General *Braddock*, and of supporting the *French* Neutrals, be referred to the Committee of Accounts, who are to report thereon to the House.

Then the House adjourned to Three o'Clock, P. M.

The Committee of Accounts reported on Mr. *Franklin's* Account, of Postage for the Governor's Letters on public Business, their Opinion, that the same ought to be paid.

Resolved, That the said Account of Postage be referred to the Provincial Commissioners for Payment.

Resolved, That the Sum of *Fifteen Hundred Pounds Sterling*, to be paid by the Trustees of the General Loan-Office, be allowed for transacting the public Affairs of this Province in *Great-Britain*, in order to obtain Redress of the many Grievances under which we labour, through Infractions of our Charters, and the Rights we ought to enjoy as *Englishmen*, by Proprietary Instructions to our present and late Governors.

Ordered, That Mr. *Baynton* and Mr. *West* do immediately purchase the Sum of *Seven Hundred and Fifty Pounds Sterling*, in Bills of Exchange, to be put into the Hands of *Benjamin Franklin*, Esq; one of the Commissioners, now on his Departure for *Great-Britain*; and that the Remainder of the said *Fifteen Hundred Pounds Sterling*, be subject to the Draughts and Orders of the said Commissioners, or either of them, for the Purposes aforesaid.

Mr. Speaker laid before the House a Letter from *Peter V. Brugh Livingston*, by which it appears, that the Sum of *One*

Hundred and Forty-five Pounds Thirteen Shillings and Three-pence remains due to him, for Charges by him paid upon the Provisions formerly remitted to *New-York*, for the *New-England* Forces, by Order of Assembly.

Ordered, That Mr. *Fox* and Mr. *West* do settle the Account of that Grant with Messieurs *Mifflin*, *Meredith* and *Smith*, and the Account of *Peter V. Brugh Livingston*, and report thereon to the House.

Ordered, That Mr. *Walker* and Mr. *Owen* wait on the Governor, and acquaint him, that the House, having laid all the Business, at present under their Consideration, before him, desire to know when his Honour will be ready to return the Bills now with him to the House, as the Members incline to make a short Adjournment till *Tuesday* next.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order, and that his Honour was pleased to say, he hoped by *Tuesday* next he should have the Militia Bill in Readiness to lay before the House.

Then the House adjourned to *Tuesday* next, at Five o'Clock in the Afternoon.

April 5, 1757.

The House met, pursuant to their Adjournment.

The Governor sent down to the House, by the Secretary, the Bill for preventing Abuses in the *Indian* Trade, with a verbal Message, that he adhered to his Amendments thereon; and that the Militia Bill before him requiring more Deliberation than he at first expected, he had not then sent it to the House, but should return it as soon as he had more fully considered it.

Then the House adjourned to Twelve o'Clock To-morrow.

April 6, 1757.

Mr. *Baynton* and Mr. *West* reported, they had purchased Bills on Account of the Province, to the Amount of *Seven Hundred and Fifty Pounds* Sterling, at *Sixty-five per Cent.* Exchange; and that they had delivered the said Bills to *Benjamin Franklin*, Esq; according to Order.

The Question being put, Whether the Governor's Amendments on the Bill for preventing Abuses in the *Indian* Trade, &c. sent down to the House Yesterday, shall be admitted in the said Bill? was unanimously resolved in the Negative.

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor, and acquaint him, that the Business of the House

being chiefly before his Honour, the Members incline to a short Adjournment, unless he has come to some Result on the Militia Bill, and is ready to lay it before them.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order, and that his Honour was pleased to say, the Militia Bill was long, and would require more Time to consider it fully; but that he should, by a Message to the House To-morrow, let them know his Result thereon; and that the Bill for striking the Sum of *Two Thousand Eight Hundred and Forty Pounds*, the Remainder of the Proprietary Gift, should be returned to the House at the same Time.

Upon Motion, the Petition of Mr. *Jacob Duché*, presented to the House some Time ago, was again read, and being considered, was referred, with the Petition of Mr. *Grubb*, a Member of Assembly, and that of Mr. *Joseph Wharton*, to the same Purpose, to the Provincial Commissioners for Payment.

Then the House adjourned to Three o'Clock To-morrow *P. M.*

April 7, 1757.

Resolved, That the House do, at their next Session, resume the Consideration of the *Northampton* County Election, and that the Clerk in the mean time give Notice to the Persons concerned therein, that they give their Attendance accordingly.

The Governor sent down to the House, by the Secretary, the Bill for striking the Sum of *Two Thousand Eight Hundred and Forty Pounds*, to be sunk by Payments to be made by the Proprietaries Receiver General, with the following verbal Message:

"The Governor commands me to acquaint the House, that the Receiver General will pay as much to the Commissioners, for the Proprietaries, at their next Meeting, as will reduce the Sum to *Two Thousand Pounds*. The Receiver further promises to use all possible Diligence in collecting the Arrears of Quitrents, and discharge the Remainder out of that Fund as soon as possible, and before the Term proposed. As this will render the Bill less necessary, the Governor returns it, being unwilling to make any Addition to the Paper-Currency, which is already too large."

The House taking into Consideration the Governor's Message by the Secretary,

Ordered, That Mr. *Roberdeau* and Mr. *Galloway* wait on his

Honour with the Bill just sent down to the House, and a verbal Message as follows, *viz.*

That the Proprietaries Gift of *Five Thousand Pounds* was made in Consideration of their being exempted from paying their reasonable Proportion of a necessary Sum of Money long since expended in the Defence of the Province. And by the Act, entitled, *An Act for granting Sixty Thousand Pounds to the King's Use*, &c. the Money was to be paid immediately by their Receiver General into the Hands of the Provincial Commissioners for that Purpose.

The Commissioners have repeatedly called on him for that Money with so little Success, that they have not to this Day received one Half of the Sum given, the Payment having been evaded by Answers, that the Receiver General could not collect sufficient Sums of Money from the Arrearages of the Proprietary Quitrents to discharge their Gift. Whether this be so or not, we shall not positively determine, but are credibly informed, that considerable Sums of Money have been lately paid to the Receiver General by the People, in Discharge of their Quitrents.

The Governor is pleased to say, in his last Message, that the Receiver General "promises to use all possible Diligence in collecting the Arrears of Quitrents, and discharge the Remainder out of this Fund as soon as possible, and before the Term proposed." It is not material to us out of what Fund the Money is to arise, nor have we any Thing to do with the Collection of the Quitrents; and we conceive the Proprietaries are in Honour bound to "discharge the Remainder" immediately, should their Quitrents never be collected, especially as the Public have been, and still are, in great Want of the Money.—The Term proposed was not for the Payment of the Money into the Hands of the Commissioners, but for sinking it; therefore, the Receiver General's Promise of "discharging it before the Term proposed" is unintelligible, and by no means satisfactory to us; nor do we apprehend the Striking so small a Sum as *Two Thousand Pounds* can be of any ill Consequence, as Exchange is now lower than it has been for several Years past. The Bill was calculated to make the Payment easy to the Proprietaries, and to give the Public the immediate Use of the Money by striking it, though at their own Expence, without the least Design of depriving the Public of the present Benefit of a Sum of Money to which they have an undoubted Right.—We therefore beg Leave to return the Bill to your Honour, and desire you would pass it into a Law."

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 8, 1757.

The House taking into Consideration the Order for *Six Hundred Pounds* payable to the Governor, presented by the Assembly soon after his Arrival into this Province,

Resolved, That it will be very agreeable to this House, that the said Order be forthwith discharged, and it is unanimously recommended to the Provincial Commissioners for that Purpose.

The Members appointed to wait on the Governor with the Bill for striking *Two Thousand Eight Hundred and Forty Pounds*, and the verbal Message of Yesternight, report, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them both into Consideration, and give them all the Dispatch in his Power.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor sent down to the House, by the Secretary, the Bill for forming and regulating the Militia of this Province, with his Amendments thereon in Writing.

The House taking the said Amendments into Consideration, after some Time spent therein, the Question was put, whether the Amendment, vesting his Honour with the Nomination of Officers, should be admitted in the Bill? and the same was unanimously resolved in the Negative.

The Question was then put, whether the Governor's Amendment, requiring "Persons religiously scrupulous of bearing Arms to appear in an open Court of Quarter Sessions, there publicly to declare to what Society they belong, and that they are really and religiously principled against all War, and conscientiously scrupulous of bearing Arms," shall be admitted in the Bill or not? and the same was unanimously resolved in the Negative.

Then the House went through the Amendments, and admitted of some, and on the rest adhered to their Bill.

Ordered, That Mr. Galloway and Mr. Baynton wait on the Governor, and acquaint him, that the House had considered his Amendments, and desire he would reconsider it, and pass it into a Law as it now stands. And further, inform the Governor, that as there is soon to be a Treaty with the *Six Nations*, and other *Indians*, if agreeable to him, the House will appoint some of their Members to attend him on that Occasion.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order, and that his Honour was pleased to say, he would take the Bill again under Consideration, and, if possible, give them an Answer To-morrow in the Afternoon. And that he requested the House would nominate some of their Members to attend him to the said *Indian Treaty*.

A Petition from *Joshua Humphreys*, of *Merion*, was presented to the Chair and read, praying the House would appoint him the Officer for inspecting and branding Flour exported from this Province.—*Referred to further Consideration.*

Then the House adjourned to Three o'Clock To-morrow Afternoon.

April 9, 1757.

The Governor returned, by the Secretary, the Bill for striking *Two Thousand Eight Hundred and Forty Pounds*, to be sunk by Payments to be made by the Proprietaries Receiver General; who acquainted the House, that his Honour would not pass it.

The Secretary likewise brought down the Bill, entitled, *An Act for forming and regulating the Militia of this Province*, with an Answer, that the Governor adhered to every one of his Amendments thereon.

Ordered, That Two Hundred Copies of the said Militia Bill, with the Governor's Amendments thereto, be forthwith printed; and that Mr. *Fox* and Mr. *Leech* see the same done accordingly.

Upon Motion, the Petition of the Overseers of the Poor of the City of *Philadelphia*, praying a Law for erecting a Work-house in the said City, being read a second time,

Resolved, That the said Petitioners have Leave to bring in a Bill for that Purpose.

Resolved, That Mr. Speaker, with Mr. *Fox*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Masters*, Mr. *Ashbridge* and Mr. *West*, do attend the Governor to the Conferences soon expected to be held with the *Indians* of the *Six Nations*, and others, at *Lancaster*.

Mr. *Galloway* having laid before the House Mr. *William Franklin's* Account of Services as Clerk of Assembly; and Mr. *Charles Brockden's* Account against the Province, the same were referred to the Committee of Accounts.

Resolved, That Mr. *Galloway* be added to the Committee for revising and correcting the Minutes of the House, in the Room of *Benjamin Franklin, Esq*;

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor, and acquaint him, that the House have nominated Mr. Speaker, with Mr. *Fox*, Mr. *Hughes*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Masters*, Mr. *Ashbridge* and Mr. *West*, to attend his Honour at the Treaty soon expected to be held with the *Indians* at *Lancaster*; and that the Members incline to adjourn to the Eighth Day of next *August*.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order, and that his Honour was pleased to say, the Gentlemen appointed to attend him at the said *Indian* Treaty were very agreeable to him; and that he had no Objection to the proposed Term of Adjournment.

Then the House adjourned to the Eighth Day of *August* next, at Five o'Clock, *P. M.*

May 30, 1757.

THE Representatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed,, summoned to meet him this Day in Assembly, Mr. Speaker, and Twenty-one of the Members, met accordingly; but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

May 31, 1757.

This Morning Mr. Speaker, and Twenty-one of the Members, met again, agreeable to Adjournment; but two being still wanted to make a Quorum, they adjourned to *Monday* next, the Sixth of *June*, at Four o'Clock, *P. M.*

June 6, 1757.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Baynton* and Mr. *West* wait on the Governor, and acquaint him, that the House being met, in Pursuance of his Summons, are ready to proceed upon any Business he may have to lay before them, and desire he would be pleased to send to the House a Copy of the Writ by which they were called.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 7, 1757.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same

according to Order; and that his Honour, in Consequence thereof, was pleased to put into their Hands a written Message, with sundry other Papers, to be laid before the House, which they delivered at the Table, and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

‘MY Duty to his Majesty, and the critical Situation of public Affairs at this Juncture, have laid me under the Necessity of calling you together before the Time of your Adjournment.

‘I now lay before you two Letters, of the Fourth and Nineteenth of *February*, which I lately received from the Secretary of State; by one of which, you will perceive it to be his Majesty’s Pleasure, that I should press you, in the strongest Manner, to raise, with the utmost Expedition, as large a Number of Provincial Troops as may be, for the Service of the present Campaign, over and above what you shall judge necessary for the immediate Defence of this Province; and that the Troops so raised should act in such Parts as the Earl of *Loudoun* shall think most conducive to the Service in general.

‘I likewise lay before you his Lordship’s Letter of the Fifth of *May*, in which, after expressing his Concern of the Dangers to which this Province stands exposed, for want of a Militia Law, his Lordship desires that I will, in Compliance of his Majesty’s said Commands, apply in the most pressing Terms to you, to raise at least Five Hundred Men, to be added to the Provincial Forces; and I cannot in the least doubt a ready Obedience on your Part, when I consider that the Security, and very Being, of this and the neighbouring Provinces so much depend on vigorously supporting the wise Measures concerted by our most gracious Sovereign for their common Defence and Protection. His Lordship is pleased to observe the singular Light this Province stands in, when every other Colony has wisely provided by such a Law for its Defence; and I may add, that it seems the more extraordinary, when the other Government of the Lower Counties has set so good an Example. I am the more concerned, when I reflect what Observations the King’s Ministers will make on your Conduct, after receiving the Copy of a Militia Bill offered me in your last Sessions, which, in some Particulars of great Consequence, is even more anti-constitutional than that which was repealed by the King in Council last Year.

‘The Part of the Southern Provinces are to take in the Operations of this Campaign, was settled between Lord *Loudoun* and the respective Governors of those Colonies, as you will see by the Minutes now laid before you. It was stipu-

lated by me, on the Part of this Province, that Two Hundred of our Provincial Forces should be sent to *South-Carolina*, with five Companies of the First Battalion of the *Royal-American* Regiment, under the Command of Lieutenant Colonel *Boquet*; in Consideration of which his Lordship agreed to leave the other five Companies of that Battalion, under the Command of Colonel *Stanwix*, for the Defence of this Province: It is Matter of great Concern to me, that it has not hitherto been in my Power to comply with my Engagement with his Lordship. You are sensible that the Term being lately expired for which the Provincials were inlisted, and they being discouraged at their not regularly receiving their Pay, refused to continue in the Service, and went off in so great Numbers, as to leave Part of the Frontiers in a very weak and defenceless Situation; but I have now the Pleasure to inform you, that the Commissioners have lately agreed to give a larger Bounty to such as shall inlist, and the Officers meet with Success in Recruiting; so that I hope the Regiments will soon be complete, and I may be enabled to fulfil my Engagement, which I am persuaded you will think a very advantageous one for this Province.

'The Minutes of the Conference I lately had with the *Indians* at *Lancaster* are preparing, and shall soon be laid before you. His Majesty having trusted Sir *William Johnson* with the sole Management of *Indian* Affairs in the Northern District of *America*, this Interview was only acquiesced in by the Earl of *Loudoun*, and Sir *William Johnson*, in Consequence of a Treaty held at *Easton*, before his Lordship's Arrival in *America*, or my Accession to this Government: His Lordship's Letter sufficiently expresses his Sentiments of the Conduct of the People of this Province, with regard to *Indian* Affairs, and he is of Opinion they will see it to be their Interest, as well as their Duty, to pay Obedience to the King's Commands, and not to interfere with his Prerogative of making Peace and War.

'As long as Colonel *Stanwix* is stationed on the Western Frontier, it would be for his Majesty's Service, and that of the Province, to have the Post established on its former Footing.

'The Commissioners having acquainted me, that the Sum of *Forty-five Thousand Pounds*, lately struck, is almost expended, and the small Remainder appropriated, I must recommend it to you, to find some Means of immediately furnishing a further Sum for the Payment of the Troops, and, other necessary Expences of the Government.

June 6, 1757.

WILLIAM DENNY."

The Papers sent down to the House with the foregoing Message from the Governor were severally entituled as follow, *viz.*

A Letter from the Honourable William Pitt, Esq; Secretary of State, to the Governor, dated February 4, 1757.

Another Letter from the said Secretary of State to the Governor, dated February 19, 1757.

A Letter from the Earl of Loudoun, upon Indian Affairs, dated at New-York.

Minutes of a Meeting of the Governors of North-Carolina, Virginia, Maryland and Pennsylvania with the Earl of Loudoun, held at Philadelphia, from the Fifteenth of March, to the Twenty-fourth of the same Month.

A Copy of the Writ for calling the Assembly.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking the Governor's Message, with the Papers accompanying it, into Consideration, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

June 8, 1757.

The Account of *James Whitehead*, for boarding *Peter Deloé*, and *Anthony Guin*, Prisoners, with a Petition to the House, praying Payment of the same, were presented to the Table, read, and referred to further Consideration.

The Petition of *Thomas Webster*, praying an Allowance for Damages sustained, in nursing a Couple of *Indian Boys*, sick of the Small-pox in his House, was likewise presented, read, and referred to further Consideration.

The House then resuming the Consideration of the Governor's Message of Yesterday,

Ordered, That *Mr. Leech*, *Mr. Pearne*, *Mr. Morton*, *Mr. Walker*, *Mr. Allen* and *Mr. Yorke* be a Committee to prepare and bring in a Draught of a Bill for striking the additional Sum of *Fifty-five Thousand Pounds*, to be given to the King's Use, and for making the same current within this Province.

Then the House adjourned to Four o'Clock, *P. M.*

The Committee appointed to bring in a Bill for striking the Sum of *Fifty-five Thousand Pounds*, the Remainder of the Sum of *One Hundred Thousand Pounds*, granted to the King's Use, reported, they had essayed a Draught of said Bill, which was delivered at the Table, read the first time, and ordered a second Reading.

Ordered, That *Mr. Galloway*, *Mr. Masters*, *Mr. Melvin*, *Mr. Morton*, *Mr. West* and *Mr. Yorke* be a Committee to pre-

pare an Answer to the Governor's Message of Yesterday; and that Mr. *Roberdeau* and Mr. *Baynton* be added to the said Committee, to revise the Militia Bill, lately offered to the Governor, the House having resumed the Consideration of said Bill, with his Honour's Amendments thereon.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 9, 1757.

The Committee appointed to re-consider the Militia Bill, with the Governor's Amendments, reported, they had essayed some Alterations on the said Bill, and Amendments, which they delivered at the Table.

The Bill for striking the Sum of *Fifty-five Thousand Pounds*, the Remainder of the Sum of *One Hundred Thousand Pounds*, granted to the King's Use, and for making the same current within this Province, having been read the second time, was ordered to be transcribed for a third Reading.

Resolved, That Mr. *Fox* and Mr. *West* be, and they are hereby appointed to agree with a fit Person, to be employed as a Post, to pass regularly once a Week from this City to *Carlisle*, in *Cumberland County*, for the more certain Conveyance of Intelligence betwixt his Honour the Governor and the King's Troops, stationed in the said County.

Ordered, That Mr. *Roberdeau* and Mr. *Baynton* wait on the Governor, and request his Honour will be pleased to furnish the House with a Copy of the Minutes of the Conferences lately held at *Lancaster* with the *Indians* of the *Six Nations*; and likewise acquaint them with the present State of the Provincial Forces, from the last Returns made thereof by the Pay-Master.

Then the House adjourned to Five o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of this Morning, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would send down to the House To-morrow a Copy of the Conferences requested, together with an Account of the present Number and State of the Provincial Forces.

A Petition from sundry of the Inhabitants of the City, praying to be appointed Signers of the *Fifty-five Thousand Pounds* to be emitted by Virtue of an Act for that Purpose, now under Consideration of the House, was presented to the House; and being read,

Resolved, That the said Petitioners be, and they are hereby

appointed Signers of the said *Fifty-five Thousand Pounds*, Paper-Money, to be emitted and made current within this Province.

Ordered, That their Names be inserted in the Bill accordingly.

The Bill for striking *Fifty-five Thousand Pounds*, the Remainder of the Sum of *One Hundred Thousand Pounds*, granted by this Assembly to his Majesty's Use, and for making the same current within this Province, being transcribed, and read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearne* and Mr. *Morton* wait upon the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 10, 1757.

The Members appointed to wait on the Governor with the Bill for striking *Fifty-five Thousand Pounds*, the Remainder of *One Hundred Thousand Pounds*, granted by this Assembly to the King's Use, for his Concurrence, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would immediately take it into Consideration, and give it all the Dispatch in his Power; and would also send down to the House, some Time this Forenoon, a List of the present Number of Provincials.

Ordered, That Mr. *Grubb* and Mr. *Hunt* wait on the Governor, and acquaint him, that the House incline to adjourn to the Afternoon, unless his Honour hath in Readiness to lay before them the Minutes of the late *Indian Treaty*, or the List of the Provincial Forces, as requested by their Message of Yesternight.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say, the Secretary should immediately wait on the House with a List of the Provincial Forces, and that he would send down a Copy of the Conferences, held at *Lancaster*, with the *Indians*, some Time in the Afternoon.

The Secretary brought down to the House an Account of the present State and Number of the Provincial Forces, with a verbal Message, that a Copy of the Minutes of the late *Indian Treaty* was making out, and should be laid before the House in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from several Merchants of this City, concerned in the *Palatine Trade*, was presented to the House and read, setting forth, that they have suffered considerable Losses from a frequent Abuse of the Law, entituled, *An Act for the Relief of insolvent Debtors*; and praying the said Law may be re-considered by the House, and amended, in order that such Misapplication thereof, in Favour of Persons able, but not willing, to pay their just Debts, may be prevented.

Mr. Speaker brought into the House the Minutes of the *Indian Treaty*, held at *Lancaster*, together with an half-written Copy of the said Minutes, delivered him by the Secretary, who desired to have both returned as soon as read, that he might get the imperfect Copy finished for the Use of the House.

The Minutes of the *Indian Treaty* having been read in the House,

Ordered, That the Clerk do finish the imperfect Copy of said Minutes, delivered by the Secretary, and return to him the Original.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 11, 1757.

The Clerk having finished and brought into the House the half-written Copy of the *Indian Treaty*, the same was compared with its Original, and ordered to be immediately printed.

The House then taking into Consideration the Frauds complained of by the *Indians* at the said Treaty, in the Proprietary Purchases of their Lands,

Ordered, That Mr. Fox, Mr. Leech, Mr. Galloway, Mr. Masters, Mr. West and Mr. Yorke be a Committee to examine the Minutes of Council respecting Proprietary Purchases of Lands from the *Indians*.

Ordered, That Mr. Roberdeau and Mr. West wait on the Governor, and acquaint him, that the House propose to adjourn till *Monday* next, if his Honour is not yet come to any Result upon the Bill for striking *Fifty-five Thousand Pounds, &c.* and has no other Business at present to lay before them.

The Members appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had nothing to lay before the House at present which need prevent their proposed Adjournment; but hoped he should have

some Matters in Readiness for their Consideration by *Monday* next.

Then the House adjourned to *Monday next*, at Five o'Clock in the Afternoon.

June 13, 1757.

The House met, pursuant to their Adjournment.

The Governor returned, by the Secretary, the Bill, entitled, *An Act for striking the Sum of Fifty-five Thousand Pounds, the Remainder of the Sum of One Hundred Thousand Pounds, granted by this Assembly to the King's Use, and for making the same current within this Province*, with his Honour's Amendments thereon; which being read, the House agreed to the said Amendments, and ordered the Bill to be engrossed accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 14, 1757.

The Committee appointed to prepare an Answer to the Governor's Message of the Sixth Instant, reported, they had essayed a Draught for that Purpose, which they delivered; and the same being read,

Ordered, That the said Draught of an Answer to the Governor's Message do lie on the Table for the Perusal of the Members.

The Committee appointed to revise the Militia Bill, with the Governor's Amendments thereon, reported, they had reconsidered the said Bill and Amendments, and delivered to Mr. Speaker a Draught of such of the Amendments as they agree to admit into the Bill; which being read, were ordered to lie on the Table, for the Consideration of the Members.

Ordered, That Mr. *Pearne* and Mr. *Trimble* wait on the Governor, and acquaint him, that the House admit of his Honour's Amendments on the Bill sent down Yesterday, and have ordered the said Bill to be engrossed accordingly, and shall be ready to attend the Governor at any Hour after Four this Afternoon that he may be pleased to appoint for enacting the same into a Law.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would, by a Message, acquaint the House at what Time

it will be convenient to him to enact the said Bill into a Law, and that he should appoint two Members of Council to compare the same with the engrossed Copy.

A Remonstrance from a considerable Number of the Merchants of this City, was presented to the House; and being read, follows in these Words:

To the REPRESENTATIVES of the FREEMEN of the Province of *Pennsylvania*, in GENERAL ASSEMBLY met,

The REMONSTRANCE of the Merchants of the City of Philadelphia, in Behalf of themselves and others, Humbly sheweth,

THAT your Remonstrants, sensibly affected at the unhappy and languishing Situation of the Trade and Commerce of the Province, under the inexpressible Distress of a long continued Embargo, beg Leave to represent their Aggrievance to your prudent Consideration.

It would be vain in us to attempt particularly to describe the pressing Calamity of your Remonstrants, and others the Merchants and Farmers of this Colony, occasioned by this long Continuation of the Prohibitions on our Trade.—Words cannot express, nor Thought conceive, the State of Adversity to which the People of this Province must be necessarily reduced, unless this Cause be expeditiously removed.

Three Months and more are now elapsed since this Prohibition has been laid in this Port; at the Beginning of which Period, your Remonstrants, and others, had large Quantities of perishable Commodities on board their Vessels, and in Store, which yet remain in their Hands: Near forty Sail of Vessels are in this Harbour, with full Cargoes of Provisions, and now ready to sail, and most of the Stores in the City filled with them, Part whereof is already perished, and the rest must inevitably share the same Fate, unless the Embargo shall be immediately taken off, and the Merchant have Liberty to export his Effects, to the inconceivable Detriment of your Remonstrants, the Discouragement of Trade, and the general Loss of the Province.

We beg Leave further to add, that by Letters from *Great-Britain* and *Ireland* we are informed our Fellow-Subjects in those Places are perishing for want of Provisions, while we abound with them here, spoiling in great Quantities on our Hands; and your Remonstrants are unhappily prohibited, though very desirous, from relieving the Necessities of their Mother Country, in a Time of the greatest Distress.

This Embargo, when first laid, was said to be for his Majesty's Service: Your Remonstrants, through a Sense of

their Duty to the best of Kings, and a Resolution to give way to every Thing, however inconvenient, which should have the Aspect of assisting in the general Defence of *America*, cheerfully submitted to it; but as we apprehend every Advantage that an Embargo could possibly produce, is already reaped from the present Prohibition, we cannot help complaining of a longer Continuation of it. If it was imposed in order to enable his Majesty's Commander in Chief to procure the necessary Seamen for the intended Expedition, they are now procured, and on board: If to procure Provisions for the King's Forces, not to mention that these Colonies, had this Measure not been taken, would have been always capable of supplying them, those Provisions are, or might have been, purchased long before this Time: If to keep the Design of the intended Expedition secret, we are surprised to see a Number of Vessels permitted to sail, while the Prohibition is in Force as to others; and the Ports of *Maryland* and *Virginia* open, while the Ports of *Pennsylvania*, *New-Jersey* and *New-York* are shut up.

Upon the Whole, we humbly apprehend, the Embargo, as it is now circumstanced, is partial, and that a longer Continuation of it can answer no good Purpose whatsoever, but will occasion the Loss of great Quantities of Provisions already manufactured, discourage the Commerce of the City, impoverish the Colony, and starve the People of our Mother Country, who, we have Reason to believe, are under the most distressing Circumstances for want of Supplies.

Wherefore we humbly address our Representatives, that taking this insupportable Burden on the Trade of the Province into their prudent Consideration, they will make use of every Measure in their Power, to relieve us from this unnecessary and distressing Prohibition. And your Remonstrants, &c."

The House taking the said Remonstrance into Consideration,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Masters*, Mr. *Walker*, Mr. *Gibbons*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare an Address to the Governor, for taking off the Embargo on the Trade of this Port.

The Petition of *Peter Peters*, setting forth, and complaining against, the oppressive and unjust Proceedings of *William Moore*, Esq; of *Chester County*, was presented to the House, read, and ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 15, 1757.

The Committee appointed to draw up and bring in an Address to the Governor, for taking off the Embargo, reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read and amended, was ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The Clerk having brought in a fair Transcript of the Address to the Governor, for removing the Embargo, the same was again read, and follows in these Words:

To the Honourable *WILLIAM DENNY*, Esq; Lieutenant Governor of the Province of *Pennsylvania*,

The REMONSTRANCE of the Representatives of the Freemen of the said Province, in General Assembly met.

May it please your HONOUR,

THE House being acquainted, as well by an Application from the Merchants of this City, as from their own Knowledge, with the languishing Condition of the Trade and Commerce of the Province, occasioned by the long Continuance of the present Embargo, beg Leave to lay this inexpressible Grievance before the Governor, and to insist on the Removal of so great a Mischief.

It is now three Months and more since this Prohibition was laid on this Port, and almost a total Stagnation of the Trade and Commerce of the Province has ensued: And notwithstanding we conceived it to be illegally laid, and the Merchants had at that Time considerable Quantities of perishable Commodities on board their Vessels, and in Stores, and the Millers and Farmers much greater manufactured, and ready for Market; yet, as we apprehended it was laid with a Design to promote his Majesty's Service, and the general Defence of *America*, and that it would be of a short Duration, we were content to submit to the Inconveniency, however great and distressing it might prove, until the good End intended by it should be fully answered: But as the Fleet has been long since supplied with the necessary Seamen, and all the Provisions they stood in Need of provided, we cannot see the Reason or Necessity of continuing a Prohibition, which your Honour must be sensible has already greatly distressed the Inhabitants, and must in a little Time totally ruin the Trade and Commerce of the Province.

We intreat your Honour to consider how the Province, under the dreadful Calamities of an *Indian* and *French* War, the Loss of a Number of its Inhabitants, and the heavy Burden of Taxes, necessarily imposed for the Defence of a long

extended Frontier, can be able to support itself, much less pay her Debts to her Mother Country, and grant Aids to his Majesty, should the people be longer debarred from the Benefits of Trade.

As a further Motive to prevail on your Honour to relieve this distressed Community from its present unhappy Situation, we beg Leave to represent, that the Merchants of this City, at the Time this Embargo was laid, had large Quantities of perishable Commodities on Hand, and have now near forty Vessels ready to sail with Cargoes of Provisions, a considerable Part whereof is already perished, other Parts damaged, and the Remainder must soon be in the same Condition, unless the Prohibition be immediately taken off.

Also, that we are further credibly informed, by Letters from *Great-Britain, Ireland,* and the *West-Indies*, that in those Places the People are in the utmost Want of the Necessaries of Life, while we abound with them here, and our Bread, Flour and other Provisions spoiling on the Hands of the Merchants, who are prohibited from relieving the Necessities of their Fellow-Subjects in the greatest Distress.

We hope your Honour, after this impartial Representation of the Circumstances of this Colony, will not think of continuing this Prohibition any longer, had you a Right to impose it; especially as the Embargo is taken off in *New-England, Maryland* and *Virginia*, and the Continuance of it here can answer no good Purpose whatsoever. But when the Governor duly weighs the Extent of his Authority by the Laws of *England*, the Royal Grant, and the Laws of this Province, by which his Power, and the People's Rights, ought to be determined, we conceive he will join in Opinion with us, that this Embargo was illegally laid.

And that his Majesty and Ministry are of Opinion, that the laying of Embargoes, without the Assistance of the Legislature, is illegal and unwarrantable, appears clear from sundry of their Instructions to your Honour and your Predecessors, in commanding you to recommend it to your Assemblies to lay such Restrictions. Had you the Power, independent of this Branch of the Legislature, these Instructions would be unnecessary. And the Parliament of our Mother Country appears to be of the same Sentiments, by passing an Act to limit our Trade to such Places as they conceive the present State of Affairs requires, who, we presume, are the best Judges of the Necessity and Manner of such Prohibitions.

Upon the Whole, we apprehend a People cannot be said to be free, nor in the Possession of their Rights and Properties,

when their Rulers shall, by their sole Authority, even during the Sitting of their Assemblies, stop the Circulation of their Commerce, discourage the Labour and Industry of the People, and reduce the Province to the greatest Distress.

To conclude, we presented to your Honour such a Bill as, in our Opinion, would have effectually prevented the Supplying the Enemy with Provisions in the Time of War, with the least Injury to the People, which your Honour was pleased to refuse your Assent to; but instead thereof, during that Sitting, shut up our Port by a general Embargo, which, has been, as we conceive, unnecessarily continued, till the Province and its Commerce are reduced to the greatest Extremity. And therefore we think it our indispensable Duty, and do insist upon it, in the warmest Manner, that you do immediately take off the Prohibition, and save the Country from that Distress and Ruin which must otherwise attend it."

And the said Address being signed by Mr. Speaker,

Ordered, That the whole Committee appointed to prepare the said Address, do present the same to the Governor.

Ordered, That the Clerk make out a fair Transcript of such of the Governor's Amendments on the Militia Bill as have been admitted by the Committee.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 16, 1757.

The Committee appointed to wait on the Governor with the Address of Yesterday, reported, they had read and delivered the same according to Order; and that his Honour was pleased to say, he would consider it, and acquaint the House with his Result thereon at a proper Time.

It being moved, that a considerable Number of the *French* Neutrals, dispersed in the several Counties and Townships of this Province, are reduced, through many of their young People's having lately had, and still having, the Small-Pox amongst them, to very great Distress, and even the Want of common Necessaries;

Resolved, That this House are of Opinion, and do appoint, with the Assent of the Governor, that the Sums already advanced by the several Townships respectively, for Support of the said Neutral *French* residing therein, be paid by the Provincial Commissioners, out of the *One Hundred Thousand Pounds* lately granted to the King's Use; and that the further Expence hereafter necessarily accruing from the Maintenance

of the said People, till they can better provide for the Subsistence, be likewise defrayed by the said Commissioners out of the public Money aforesaid.

The Clerk having brought in a fair Transcript of such of the Governor's Amendments on the Militia Bill as had been admitted by the Committee appointed to reconsider the said Bill and Amendments, the same were again read, and agreed to by the House, and being signed by Mr. Speaker,

Ordered, That Mr. *Morton* and Mr. *Trimble* wait on the Governor with the said Bill, and desire he will pass the same, agreeable to the Amendments now sent up; and that his Honour will likewise be pleased to acquaint the House when they shall wait on him with the Bill for striking *Fifty-five Thousand Pounds*, &c. to which the Governor has given his Assent, in order to enact it into a Law, the said Bill being engrossed for that Purpose.

Then the House adjourned to Four o'Clock, *P. M.*

The Governor sent down a Message by the Secretary, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I SHALL forward your Remonstrance, presented to me last Night, by Express to Lord *Loudoun*, the Embargo having been laid at his Lordship's Instance, in Consequence of his Majesty's positive Orders, as will appear by his Lordship's Letters, which I have from Time to Time laid before you.

'I am sensible of the great Distress that the Merchants and Farmers must be under, by the long Continuance of this Embargo, and hope the King's Affairs may permit his Lordship to hearken to my Application for their Relief.

'You will please to send an Answer to my Message of the Sixth Instant, in which I communicated his Lordship's Demands, and those of the Secretary of State, that it may be forwarded by the Express, as I cannot, with Decency, write to my Lord *Loudoun*, without letting him know your Resolutions on those Demands.

June 16, 1757.

WILLIAM DENNY."

The Members appointed to wait on the Governor with the Militia Bill, and such of his Honour's Amendments thereon as the House admit into the said Bill, reported, they had delivered the same according to Order; and that the Governor was pleased to make no Answer to them on that Head, but said he would attend in the Council Chamber at Twelve o'Clock To-morrow, to enact the Bill for striking *Fifty-five Thousand Pounds*, &c. into a Law.

The House then resumed the Consideration of their Answer to the Governor's Message of the Sixth Instant, and having made some Alterations therein, ordered the same to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 17, 1757.

The Answer to the Governor's Message of the Sixth Instant, being transcribed, according to Order, the same was read, and agreed to, and follows in these Words, *viz.*

May it please your HONOUR,

THE two Letters which you was pleased to lay before us, from the Secretary of State, dated the Fourth and Nineteenth of *February* last, appear to us circular Letters, which must be liable to the different Abilities of the several Colonies, and the Situation of their Frontiers, and were dated before the large Grant this Assembly has lately made to the Crown, as well for the Defence of the province, as to act offensively against the common Enemy. The very late Settlement of this Province, compared with most of the other Colonies, and the Circumstances of the People, well known to us, and to which your Honour cannot be wholly a Stranger, added to the present Distress of a long continued Embargo, and the heavy Expence of defending our long extended Frontiers, which in a great Measure cover several others of his Majesty's Colonies, must convince your Honour, that the Aid already granted, and the Men directed by Law to be raised and supported, are more than our Proportion, and a Burden almost too heavy for this young Colony to bear; and however your Honour may judge it your Duty to lay those Letters before us, we make no Doubt the Sums we have already so chearfully given, will fully demonstrate our Loyalty and Affection to the best of Sovereigns, and evidently shew how desirous we are in this Time of War to afford the utmost Protection our Circumstances would admit of, to the People we represent. We presume nothing further is expected from us, "than that we would raise as large a Number of Provincial Troops as might be, for the Service of the present Campaign;" and this was fully and chearfully complied with by us at our last Sitting, as we apprehend, to the Satisfaction of the Governor, as well as his Excellency the Earl of *Loudoun*, who was in the Province at the Time your Honour was pleased, after long Deliberation, to give your Assent to that Bill, which had been clogged and delayed for a considerable Time, by the unreasonable

Limitations of the most arbitrary and unconstitutional Proprietary Instructions.

Your Honour is pleased to inform us, "That his Lordship, after expressing his Concern for the Dangers to which this Province stands exposed for want of a Militia Law, desires you would apply to us, in the most pressing Terms, to raise at least Five Hundred Men, to be added to the Provincial Forces." We cannot doubt, from his Excellency's Activity and Conduct in his Station, of his Concern at the Danger this as well as the other Colonies are exposed to; and have Reason to apprehend, from his known Justice, that had he duly weighed the large Sum of Money already granted by us to his Majesty, and been fully acquainted with the Circumstances of the Province, he would have waved pressing us at this Time for an additional Number of Forces. But it seems the Reason of his Lordship's Request is, "the Want of a Militia Law." To which we beg Leave to answer: If the Province is more exposed, through the Want of such a Law, this Branch of the Legislature have nothing to charge themselves with on that Account. At our last Sitting we prepared and offered a Bill for forming and regulating the Militia of this Province, which you sent down with considerable Amendments; these Amendments, and the Bill itself, have been reconsidered, and lie now before your Honour for your Assent; and whenever you shall think fit to enact the Bill into a Law, we do not doubt it will prove well adapted to our Circumstances, and the Defence of this Province. In your late Message, now before us, you are pleased to say, that "the Bill, in some Particulars of great Consequence, is even more anti-constitutional than that which was repealed by the King in Council last Year." But if the Bill was so anti-constitutional, we conceive, the Governor, from the Duty he owes to the Crown, and that Regard which is due to the People he governs, would have thought it incumbent upon him to point out those "Particulars," which he has not done; and therefore cannot expect we should attempt to answer them, as we conceive this Assertion is without any just Foundation.

Had the Bill been framed with the same Spirit that the Amendments thereto were made, we think it might, with Justice, be said, that it was truly "anti-constitutional." To prove this, a little Attention to one of the many Amendments is sufficient. We know of no Law or Principle in our Mother, or our own, Constitution, that has the Appearance of, or can justify the "subjecting" the Freemen of a whole Community

"to all such Articles of War, Rules, Regulations, Punishments and Trials," in Case of any Neglect or Breach of Duty, as are imposed on the mercenary Troops of the Crown; nor do we believe there ever will be, while the *British* Constitution remains free from the Yoke of Oppression.

Your Honour is pleased to think, that "the Government of the Lower Counties has set a good Example," in their Militia Law. What should create such a Fondness in the Governor for a Law so generally condemned, and that has occasioned so much Distress and Persecution among the People, we are at a Loss to determine, unless it be the favourite Clause, which invests him with the Power of "making and establishing such Rules and Articles for the Regulation of the Militia as he may judge expedient?" By which Means the Liberties and Properties of the People are subject to his Orders, and dependent on his Pleasure. The Governor may think this a constitutional Law, and worthy our Imitation; but we apprehend he will have a difficult Task to persuade a free People to concur in Sentiments with him.

And since the Governor is pleased to recommend one Example of the Lower Counties to our Imitation, we beg Leave to enquire, why he has not solicited us to tread in their Steps in another? Had we followed the Example of that Government, we should have granted but few Aids to his Majesty, and by no Means contributed to our own, or their, Protection, who are almost entirely covered and defended by the Frontiers and military Force of this Province. To what Cause the Neglect of that Government is owing, in not contributing their Proportion of Supplies, in this Time of general Danger, when every other Colony in *America* is groaning under the Burden of their Taxes, we shall leave others to determine; but certain it is, that those, whose Duty it was to solicit them, or those who had the Power of granting them, will be answerable to his Majesty, for this extraordinary Omission of their Duty to their King, and the common Interest of the Colonies; which we presume cannot escape the Notice of the King's Ministers much longer, however careful the Governor and Assemblies of those Counties may have been to keep their Transactions from the public View, and thereby load us with their Defect, as that Government may be accounted a Part of this Province, though entirely independent, and under a distinct Legislature. On the contrary, our Conduct has been such, that instead of dreading the "Observations the King's Ministers," or his Parliaments, will make thereon, we have determined, that all our public Transactions shall be faithfully and impartially laid before them,

Your Honour has never been pleased to inform us till now, "that you had stipulated with Lord *Loudoun*, and the Governors of the Southern Colonies, when at this City, that Two Hundred of our Provincial Troops should be sent to *South-Carolina*, for the Defence of that Province," though the Assembly continued sitting long after the Date of that Agreement. This, in a Matter of so great Importance, is surprising to us, especially when we consider, that near three Months are elapsed since you entered into that Engagement. If the Governor was determined to comply with it, to what could this Omission be owing? We cannot reasonably presume, that it was from a Conception, that he had the Power of sending that Number of Troops out of the Province, without the Aid of this Part of the Legislature. Had he attended to the Bill which was then before him, and afterwards passed into a Law, he could not have entertained such an Opinion. The Law enacts, that Three Hundred of the Men shall be employed in Garrison, and the remaining Eleven Hundred in ranging and scouting Parties, for the Protection of our Frontier Inhabitants. The Commissioners Power, in the Disposition of the Money granted for their Support, was limited to these Uses; nor could they legally have assented to defray the Expences of that Engagement, without a Law for that Purpose. The Governor, it seems, had entered into the Engagement, and determined to fulfil it by Virtue of his Authority only: But he is pleased to inform us, that, to his great Concern, "it has not been in his Power to comply with it;—the Term being lately expired for which the Provincials were enlisted, and they, discouraged from not regularly receiving their Pay, refused to continue in the Service, and went off in so great Numbers, as to leave the Frontier in a very weak and defenceless Situation." To whom the Discouragement complained of is owing, will readily appear to those who know that Supplies were timely offered, and rejected by the Governor; and that it is now near Three Months since the other Supplies were accepted, and Measures might have been taken to recruit the Battalions as the Terms of the Mens Enlistment expired.—We have reason to believe, had the Officers been appointed for their Merits only, and recruiting Orders been given at the Time they ought to have been, when the Governor had all the Means in his Hands, the Battalions would never have been greatly defective, but before this Time complete; the Frontier Inhabitants might have received that Protection which the Law intended, and the Engagement entered into with his Lordship easily complied

with, had the Governor, at the Time he entered into it, thought it a Matter worth communicating to the Assembly then sitting, and obtained their Aid on this Occasion, which they were ready to have granted. And we cannot help being "concerned, when we reflect what Observations his Lordship, and the King's Ministers, will make on the Conduct" of those, who have shewn such a Disregard to his Majesty's Service, especially should the Province of *South-Carolina* be lost for Want of the Succour stipulated; notwithstanding we find, by his Lordship's Letter, that the Blame has been thrown, by some Person, on those who were Strangers to the Engagement.

Upon the Whole, we assure the Governor, we are sincerely disposed, notwithstanding the extraordinary Distresses of the Province, and the large Number of Men that are necessary for our Protection, to aid and assist the neighboring Provinces as far as our Abilities will extend.—We do heartily approve of this Measure, are sorry a Matter of so much Importance, a Matter so necessary for the Defence of *South-Carolina*, and the general Service, should be so long delayed, —and are ready to concur with him, if it is not now too late, to answer the End proposed, in enacting a Law which may enable him to fulfil that Engagement with his Lordship.

What the Governor intended we should understand from the Paragraph in his Message on *Indian* Affairs, we cannot readily conceive. We hope he does not design to divert the Province from prosecuting the Enquiry into the *Indian* Complaints, and assisting in settling that Peace, which is so necessary to the Tranquillity of the Province, and conciliating the Minds of the Natives to the *British* Interest; especially when it is done in the Presence, and under the Direction of the Deputy of the King's Agent. If this is not the Design, as we hope it is not, we are sorry he should take a Pleasure in publishing a Reflection on the People of this Province, which he must be convinced, on a little Consideration, they do not deserve. The People of this Province did never, that we know of, interfere "with his Majesty's Prerogative of making Peace and War." Their known Duty and Loyalty to his Majesty, notwithstanding the Pains taken to misrepresent their Actions, forbid such an Attempt. But as it is rendered beyond Contradiction plain, from the Enquiries made by your Honour, that the Cause of the present *Indian* Incursions on this Province, and the dreadful Calamities many of the Inhabitants have suffered, have arisen, in great Measure, from the exorbitant and unreasonable Purchases made, or supposed

to be made, of the *Indians*, and the Manner of making them;—so exorbitant, that the Natives complain they have not a Country left to hunt or subsist in. If to request the Governor, the King's Representative in this Province, assisted by the Deputy of Sir *William Johnson*, to enquire into these Complaints, which arose entirely from the Transactions of Persons within this Government, that they may be impartially laid before his Majesty; Complaints, in the Redressing of which our Lives, Liberties and Fortunes are deeply interested; we say, if this is "interfering with his Majesty's Prerogative," or disobeying his Commands, then the Governor's Censure is just; if not, it must appear without Foundation. And we are so far from being inclinable, was it in our Power, to infringe on the Rights of the Crown, that, on the contrary, we shall think it happy for ourselves and our Posterity, if, in this Time of Distress, we can guard against the many Attempts on the Peoples Right and Liberties, and preserve to the Constitution those Principles of Freedom, on which it was originally founded.

Before we conclude, we beg Leave to represent to your Honour the unhappy Situation of our Frontier Inhabitants, whose Distresses, as we apprehend, arise principally from the Want of a due Exertion of the Military Force of the Government. The recruiting Service has been too much neglected, whereby the Number in each Battalion has not been kept up; the Troops have been detained in the Forts, and not obliged to range and hunt after the Enemy, as the Law directs, while they have come in between them, destroyed the Inhabitants, and returned unmolested. Persons are put into Offices, and receive their full Pay, who are permitted to follow other Avocations; by which Means the Public is deprived of their Service, and the People suffer.—The Execution of the Law seems to us the only Method of affording the People that Protection they are entitled to: Wherefore, we entreat the Governor to give Orders that the Battalions be recruited as soon as possible, and that the Men be obliged to range the Frontiers in the Manner which shall conduce most to the repelling the Enemy, and the Security of the People, otherwise the good Design of granting the Supplies will be frustrated, and the Province left unprotected.

We agree with the Governor, in thinking that the Establishment of a Post from the Western Frontier will be for his Majesty's Service; and have appointed two of our Members to agree with a suitable Person for that Purpose.

June 17, 1757.

Signed, by Order of the House,

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor, and deliver the foregoing Message.

The House being acquainted that two of the Members of Council were attending in the Council Chamber, to join with two of the Members of the House in comparing the Bill for striking *Fifty-five Thousand Pounds, &c.*

Ordered, That Mr. *Pearne* and Mr. *Walker* meet the Members of Council, to compare the said engrossed Bill with its Original.

The Gentlemen appointed to join with the Members of Council in comparing the engrossed Bill, reported, they had done the same, and found them to agree.

A Message by Mr. Secretary:

"*SIR*,

"The Governor requires the Attendance of the Speaker and the House immediately in the Council Chamber."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act for striking Fifty-five Thousand Pounds, the Remainder of the Sum of One Hundred Thousand Pounds, Granted by this Assembly to the King's Use, and for making the same current within this Province;* to which the Governor was pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. *Pearne* and Mr. *Walker* do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

The Members appointed to wait on the Governor with the Answer of the House to his Honour's Message of the Sixth Instant, reported, they had delivered the same according to Order.

Then the House adjourned to Four o'Clock, P. M.

The Members appointed to see the Great Seal affixed to the Law, entituled, *An Act for striking Fifty-five Thousand Pounds, &c.* and the said Law deposited in the Rolls Office, reported, they had done the same according to the Order of the House.

A Petition from *Richard Hill* and *Samuel Preston Moore* was presented to the House and read, praying Leave to bring in a Bill to enable them to make a sufficient and legal Title to certain Lands and Lots in this Province and City, sold and leased by *Richard Hill*, junior (Son and Brother-in-Law to the Petitioners) who died before the several Purchasers and

Lessees of the said Lands and Lots had obtained Deeds or full Titles to the same.

Resolved, That the said Petitioners have Leave to bring in a Bill at the next Sitting of Assembly for the Purposes expressed in their Petition, and that the Clerk give them Notice thereof.

The Governor sent down a Message to the House by the Secretary, which was read, and is as follows, *viz.*

GENTLEMEN,

'WHEN the Forces shall be complete, in order to engage a Number of them to go to *South-Carolina*, it will be necessary to offer an handsome Bounty, in which, as well as their Transportation, and the other Expences attending my Stipulation with Lord *Loudoun*, I shall depend on your Assistance, and desire you will prepare a Bill immediately for that Purpose, in which I shall very chearfully concur with you.

'I have not Time at present to take Notice of the other Parts of your Message.

June 17, 1757.

WILLIAM DENNY."

The House taking into their immediate Consideration the Governor's Request in the above Message,

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *West* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for the Purpose mentioned in the Governor's said Message.

The Committee appointed to prepare a Bill for impowering the Governor to detach from the Forces of this Province Two Hundred Men, and transport the same to *South-Carolina*, for the Defence of that Colony, reported, they had essayed a Draught of a Bill for that Purpose, which was delivered at the Table, read the first time, and ordered a second Reading.

Then the House adjourned to Eight o'Clock To-morrow Morning.

June 18, 1757.

The Bill entituled, *An Act impowering the Governor to discharge his Part of the Operations of this Campaign, stipulated in Behalf of this Province between his Excellency John Earl of Loudoun, and the Governors of the Southern Colonies*, was read a second time, and ordered to be transcribed.

Then the House adjourned for one Hour.

The House met, and the Bill for impowering the Governor to discharge his Part of the Operations of this Campaign, &c. being transcribed, the same was read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Morton* and Mr. *Yorke* wait upon the Governor therewith for his Assent to the same, and request his Honour will be pleased to pass the said Bill, if possible, this Day, as the House have no Matters of Consequence at present before them, and incline to adjourn to the Eighth Day of *August* next (the Time to which they stood adjourned at the Close of their last Session) unless the Governor hath further Business to lay before them, which may require their immediate Consideration.

The Members appointed to wait on the Governor with the aforesaid Bill and Message from the House, reported, they had delivered the same according to Order; and that his Honour being then in Council, desired the Members would wait till the said Bill could be read before them; and then returning to them with it, was pleased to say, he would attend in the Council Chamber at Four o'Clock this Afternoon, to enact the same into a Law, provided the House would admit one short Amendment thereon, *viz.* instead of the Words [*Officers included*] to say [*exclusive of Officers*].

The House taking the Governor's proposed Amendment into Consideration, resolved that the same be admitted, and ordered the Bill to be engrossed accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

The engrossed Bill being brought in and compared,

Ordered, That Mr. *Baynton* and Mr. *West* meet two of the Members of Council, to collate the engrossed Bill with the Bill to which the Governor has given his Assent.

The said Members returned, and reported, that they had met two Members of Council with the said Bills, and found them to agree.

A Message by the Secretary:

SIR,

"The Governor requests the Attendance of the Speaker and the House in the Council Chamber immediately."

At the same Time the Secretary delivered a written Message from the Governor, which was read, and is as follows, *viz.*

GENTLEMEN,

'MY Time has been so taken up in preparing Dispatches to the Earl of *Loudoun*, representing to his Lordship the Distresses of this Province, occasioned by the long Continuance of the Embargo, and other Matters of a public Nature, that I have not had Time to consider the Militia Bill, laid before me on *Thursday* last, with the Attention that is due to a Bill of so great Importance; I am therefore under the Necessity of desiring that you will not adjourn this Evening, as I was in-

formed by two of your Members you intended; and I hope to be able to return you my Answer to that Bill on *Monday* next.

June 18, 1757.

WILLIAM DENNY."

Then Mr. Speaker, with the whole House, attended his Honour in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor with the Bill, entituled, *An Act empowering the Governor to discharge his Part of the Operations of this Campaign, stipulated in Behalf of this Province between his Excellency John Earl of Loudoun, and the Governors of the Southern Colonies*; to which the Governor had been pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. *Fox* and Mr. *Leech* do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

Then the House adjourned to *Tuesday* next, at Three o'Clock in the Afternoon.

June 21, 1757.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor, and acquaint him, that in Pursuance of his Honour's Message on *Saturday* Evening, the House are again met, in order to consider any further Business the Governor may be pleased to lay before them.

The Members appointed to see the Great Seal affixed to the *Act empowering the Governor to discharge his Part of the Operations of this Campaign, &c.* and the said Act deposited in the Rolls Office, reported, they had done the same according to Order.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he was not yet prepared to lay any further Business before the House, but hoped he should in the Morning have some Matters for their Consideration; and upon being asked at what Hour To-morrow the House might expect them, he said he did not know, as the Council must be called before a Message could be sent to the House.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

June 22, 1757.

Ordered, That Mr. *Galloway* and Mr. *West* wait on the Governor, and acquaint him, that the House are again met, in

order to consider any Business he may have in Readiness to lay before them.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had set out for that Purpose, but on their Way they met the Secretary coming to the House with a Message from his Honour.

The Governor sent down a written Message by the Secretary, who also delivered sundry Papers referred to therein, and acquainted the House, that what other Matters his Honour had for their Consideration, would be laid before them at Three o'Clock in the Afternoon precisely. The Governor's Message being read, follows in these Words, *viz.*

GENTLEMEN,

'THE Matter set forth in the Memorial of Sir John St. Clair, Deputy Quarter-master General, is of so much Consequence to his Majesty's Service, and the Ease of the People of this Province, who may be distressed by a Body of Troops halting, and heavily quartered upon, in Case the Baggage Waggons are stopped by the Badness of the Roads: I therefore recommend to you to take this immediately into your Consideration, and prepare a Bill to supply the Defects of the Laws now in Force for the Repair of Roads and Highways, so that they may be widened and mended while the Season permits.

June 22, 1757.

WILLIAM DENNY."

The Papers delivered by the Secretary with the above Message, were severally dated and entituled as follow, *viz.*

1. *The Memorial of Sir John St. Clair, Baronet, Deputy Quarter-master General of all his Majesty's Forces in North-America, June 21, 1757.*

2. *A Letter to the Governor from Timothy Horsefield, Esq; June 19, 1757.*

3. *A Letter to the Governor from Major Parsons, June 19, 1757.*

4. *A Letter to Major Parsons from Lieutenant Jacob Orndt, June 18, 1757.*

Which were read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor sent down, by the Secretary, the Bill for forming and regulating the Militia of this Province, with a verbal Message, that his Honour adhered to his Amendments on the said Bill. The Secretary also acquainted the House, that the Governor had not yet heard from Lord Loudoun, in relation to the Embargo, but expected it every Hour, having spoke with a Gentleman just from York, who was informed

by his Lordship, that the Governor would have received his Answer to that Business, by Express, before the said Gentleman got to *Philadelphia*; but upon Enquiry after the said Express, it could not be found that he was yet arrived. With the above Bill the Secretary likewise delivered a Message from the Governor, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'The first Part of your Message containing nothing more than Excuses, why you will not comply with the Demands made on the Province by his Majesty, in the Letters of the Secretary of State and my Lord *Loudoun*, to raise an additional Number of Forces; I shall therefore take no further Notice of it than to inform you, that I have already transmitted your Message to his Lordship, and shall take the first Opportunity of sending it to the King's Ministers, who will judge how well those Excuses are founded.

'It is evident that Lord *Loudoun* is not satisfied with what has been already done by this Province, as you suppose, or he would not have demanded the Raising of an additional Five Hundred Men: A Demand founded in the highest Wisdom and Prudence, since, having no Militia, these extended Frontiers should not be left exposed to different Attacks, and the doubtful Events and Chances of War.

'I was in Hopes a Nobleman of his Lordship's distinguished Merit and Abilities, in whom his Majesty has reposed so high a Confidence and Trust, would have escaped your Censures. Whoever knows his Lordship's indefatigable Industry, and Application to Business, and the strict Attention he gives to the Conduct of this and the other Colonies, must clearly be convinced of the Injustice of your Insinuation, that his pressing you for an additional Number of Forces is owing to the Want of duly weighing the large Sum of Money already granted, and his Lordship's Ignorance of the Circumstances of this Province.

'It will be endless to enter into a Dispute about the Militia Bill. How far it was at first, or is, with the Alterations since made, adapted to the Circumstances and Defence of the Province, must be submitted to our Superiors to determine. I shall only mention two Things; First, That the late Bill which passed the House of Commons, subjected the Militia, in Time of Insurrection or Invasion, to the Penalties of Death, or such other Judgment as a Court-martial should inflict.

'Secondly, That the Law, repealed by his Majesty, constituted a Court-martial for the Trial of Offenders, which the

Bill before me has not done; not to mention the loose Manner and pernicious Consequences of giving Liberties to evil disposed Persons of pretending they are actual Members of certain Congregations, when they are not; and only declare themselves so occasionally, in order to avoid defending their Country, which good and loyal Subjects are always ready to do.—By which Conduct the best and bravest of the People will be obliged to expose their Persons for the Defence and Protection of the Whole, and even of the worst.

‘For the above weighty Reasons, I cannot withdraw any of my Amendments, and am obliged to reject your Militia Bill, as being injurious to the equal Privileges of the People, as well as inconsistent with the just Rights of Government, the Safety and Security of the Province, and our Duty to his Majesty.

‘I am sorry you do not think the Militia Act of the Lower Counties worthy your Imitation. It is certainly thought a good one by the Lords of Trade, who have rejected a warm Application made against it; whereas the old Law of this Province was repealed on their Lordships Report by the King in Council, and your present Bill is worse than that Law, and liable to more Objections.

‘In Answer to your Charge of Partiality in Favour of the Lower Counties, I would observe, that, before my Arrival, it is well known they gave, for the King’s Use, as much as their Circumstances would permit; and no Doubt they would have, since that, shewn the same Spirit of Loyalty and Duty to his Majesty, if an Opportunity had been given them. But your Sitting prevented the Continuance of their first Meeting; and since that my Attention has been so much engaged by the Business of this Government, the *Indian* Conferences, your long Sessions of Assembly, and the great Affairs to be transacted with the Commander in Chief, that I could not attend their Adjournment; so that the Imputation attempted to be cast on me, as well as the Lower Assembly, you know to be unjust, and without the least Foundation.

‘Your being pleased to find Fault with that Assembly for keeping their Transactions from public View, gives me to hope that you will, for the future, favour me with regular Copies of your Minutes, in Conformity to the constant Practice of the House of Commons, whose Votes are published daily. This I further demand of you, because you profess your Determination of laying your Transactions before the King’s Ministers, which I very much approve of.

‘As to your Apprehensions of being loaded with the Defects of the Assembly of the Lower Counties, I would observe, that

your Proceedings are too well known, both in *America* and *Great-Britain*, to admit of any Doubt: You need not therefore be under any Concern about the World's mistaking the Conduct of any other Assembly for yours.

'You seem surprised that I did not lay before you my Stipulations with my Lord *Loudoun*, which, relating to a secret Expedition, could not at first, with Propriety, be communicated to the Assembly. And besides this, as the Detachment I stipulated for, was to be draughted out of the Provincial Forces, I saw it was impossible to spare any till such Time as these Forces should be completed, of which there was no Kind of Prospect at that Time.

'My Duty therefore was to urge the Commissioners to encourage the Recruiting Service, by giving a proper Bounty to each Recruit. That Affair hung too long on Hand; at first only a *Dollar* Levy Money was given; at last a *Pistole*; and without any other Allowance to the Officers than *Half a Dollar per Man*, which has since been taken away.

'The Assembly has met, and may meet often again, without seeing the Complement of Troops raised, as the Commissioners have Yesterday notified their Resolution of allowing nothing to the Officers.

'The Method, if it be ever intended, to complete the Levies, will be to give the same Bounty Money as is allotted in his Majesty's Service, which is founded on Reason and Experience. We have no real Soldiers to be depended on for any Time, but such as are inlisted on the new Establishment. As such uncommon Bounty Money was offered in *Jersey*, and such great Encouragement given to inlist in the King's Troops, it became absolutely necessary to offer even more than the *Pistole*; several of our Men, whose Times were out, having actually inlisted either with one or other of them; and this was still the greater Misfortune, as one old Soldier was equal to three new Recruits.

'What is to be understood from the Paragraph of my Message on *Indian* Affairs, is, I think, not hard to conceive. It being my Duty to deliver his Majesty's Orders, signified by my Lord *Loudoun*, with regard to *Indian* Treaties, you are to consider them as such, and not as his Lordship's or mine; it grieves me to tell you, that what you call Reflections, published with Pleasure by me, respecting the Conduct of the People of this Province, are Observations of the Commander in Chief on their past Measures, which I could not answer keeping secret; therefore it is too delicate a Matter for me, who am not personally concerned, even to attempt to answer

your Objections. However, you will remark, that Lord *Loudoun* expressly says, *That the People of this Province have obstinately insisted in carrying on Negotiations with the Indians, and have even sent to negotiate with them separately in the King's Agent's own House*; which was very particular, when the Governors themselves were strictly forbid to meddle with *Indian Treaties* in any Shape whatsoever.

'Nothing shall be wanting on my Part, in Conjunction with the King's Agent, to settle any Differences subsisting with the *Indians*. Numbers have been Witnesses to my Candour and Impartiality in the late Transactions for that Purpose, and particularly some of your own Body. How can you then presume to insinuate a Doubt to the contrary?

'As a Judge, I can never suppose an Accusation proved before it be heard, even against the lowest Person of the Country; nor ought I, when the first and highest are misrepresented and blackened. Which of you, Gentlemen, would like such Treatment? And what would you say, if a chief Magistrate acted such a Part in Matters relating to your Character and Property?

'The Proprietaries, who have the Government under the King's Charter, are ready to make ample Satisfaction to the *Indians*, in case any Fraud, with respect to Purchases, appears to have been committed by their Agents; but the Charge is *so heinous* against Gentlemen in their high Station, that it will be a particular Pleasure to me to right their Honour, and at the same Time do the *Indians* Justice, in case it appears that their Complaints are well founded.

'What you have therefore so confidently affirmed to be the chief Cause of the present *Indian Ravages*, is far from being so evident as to admit of no Contradiction. *Teedyuscung*, at the last Conferences at *Easton*, openly and honestly declared, that the supposed fraudulent Purchase was not the real Cause, though the Blow fell heavier on that Account. How then can it be asserted, that the Hostilities arose on Account of other Purchases, whereof he has never made any Mention? Nay, you know further, that the Deputies of the *Six Nations* made no Complaint of this Nature, though the Question was put to them in the most public and solemn Manner during the late Conferences at *Lancaster*, whether they had any Thing to complain of against this Province, with regard to Land Purchases, or on any other Account whatsoever.

'Purchases from the *Indians* have always been approved of by this Province as the most equitable and satisfactory Method of settling the Country, which you know the Proprietaries, in

Compliance with the Royal Grant, are under the strongest Obligations to do: Wherefore, if there be nothing to complain of in the Manner of making such Purchases, there can be no Objection to the Extent of them, whilst so necessary for the Security of the Inhabitants; especially when it is represented to me, that the settled Part of the Province, is not one Eighth Part of the Whole, and the other Seven Eighths are yet open to the *Indians*.

'In the Conclusion of your Message, you mention great Neglects in the Recruiting, and other Parts of the Military Service. I agree with you, that what relates to Recruiting has been too much neglected, and never was worse carried on in any Country in the World: Of that I have spoke above, and long since offered a Remedy. As to the rest, constant Patroles and ranging Parties have been ordered out; but even this Service has been materially checked, when the Soldiers wanted both Pay and Necessaries; and more particularly, when the very moderate Demands of Lieutenant Colonel *Armstrong* were refused, who had Instructions to encamp with Three Hundred Men, the latter End of *March*, or the Beginning of *April*, in an advanced Post, to cover that Frontier. The Attacks of the Enemy might either have been prevented, or they cut off in their Retreat; many Murders consequently would not have been committed, and many Prisoners not led into the worst of Slavery, if my reasonable Application had been complied with, which would have put the Public to very little Expence; and the Remainder of the Proprietary Present was more than a sufficient Fund for that Expedition. As to the Assertion of the Numbers of each Battalion not being kept up, it has been shewn to have been owing to the determined Resolution of the Commissioners to retard the Recruiting Service. Standing Orders were given, on my first coming, to re-inlist Men whose Times were expired, and to complete the several Companies. The two Battalions of the *Pennsylvania* Regiment have been generally complete, which, all Things considered, is to be looked upon as next to a Miracle.

'With respect to the *Augusta* Regiment, about Three Months ago the Men were ready to mutiny for want of Pay; the Commanding Officer expected to be besieged every Hour; the Garrison was very weak, and the Works not finished. It was absolutely necessary that the Officers should remain there for the Defence of the Place; and they were ordered to use their utmost Endeavours to quiet the Men, who loudly demanded their Pay and Discharges, and engage them to re-inlist; nor could they be spared to go a recruiting till Money was sent to

pay the Regiment. I was even under a Necessity to re-inforce the Garrison with three Companies of another Battalion, and their Officers; and even more were ordered for the Defence of that important Place, who refused to march for want of Pay and Necessaries.

'You do well to inform me of the Misconduct of Persons employed in the Service of the Government; but you would have done better to have mentioned their Names. I have commissioned none such: Bring your Proofs, and they shall be removed. General Aspersions have a very bad Appearance, and too frequently are ill-grounded and malicious.

'The whole of these Transactions will be transmitted Home as soon as possible.

'Thus I have endeavoured to answer your most extraordinary Message with Temper and Moderation. If you chuse in public Business to lay aside Decency, it does not become a Gentleman in my Station to want Manners.

June 22, 1757.

WILLIAM DENNY."

The House taking into Consideration the foregoing Message, *Ordered*, That Mr. Fox, Mr. Galloway, Mr. Masters, Mr. Leech, Mr. Roberdeau, Mr. Yorke and Mr. West be a Committee to prepare an Answer to the same.

The Question being then put, Whether the House adhere to the Bill for forming and regulating the Militia, &c. returned by the Governor, as it now stands, without admitting the Governor's Amendments? the same was, by a great Majority, resolved in the Affirmative.

Then the House adjourned to Five o'Clock To-morrow Afternoon.

June 23, 1757.

The Governor sent down, by the Secretary, sundry Papers, with a written Message, to the House, which was read, and follows in these Words:

GENTLEMEN,

ON the Intelligence herewith sent you, which I received this Afternoon by Express from Colonel *Stanwix*, I am obliged to press you, in the warmest Terms, to encourage the raising Recruits, by giving the same Levy Money to the Officers for each Recruit as is given in the King's Service, or by the neighbouring Provinces; the Safety of the Country, and the Lives of the Inhabitants depending on the Troops being completed as expeditiously as is possible.—I hourly expect further Accounts from Colonel *Stanwix*, and desire you will not separate till it is confirmed where the Attack will fall.

June 23, 1757.

WILLIAM DENNY."

The Papers delivered with the above Message were a Letter from Colonel *John Stanwix* to the Governor, and two others from Colonel *Washington* to Colonel *Stanwix*, with Intelligence of a large Party of *French* and *Indians* marching towards Fort *Cumberland*.

Then the House adjourned to Eight o'Clock To-morrow Morning.

June 24, 1757.

The Committee appointed to prepare an Answer to the Governor's Message of the Twenty-second Instant, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same was read, and considered.

Then the House adjourned to Three o'Clock, *P. M.*

The Answer to the Governor's Message of the Twenty-second Instant was again considered, and agreed to, and ordered to be transcribed.

A Petition from the Commissioners and Assessors of *Northampton* County was presented to the House and read, setting forth, that such are the Distresses and necessitous Circumstances of many of the Inhabitants of the said County, that the Petitioners apprehend it will be both oppressive and fruitless to levy the additional Tax, imposed by the late Supplementary Act, on many of the said People, who are so much impoverished by the late *Indian* Ravages on that Part of the Frontier Settlements, as to be altogether unable to pay the same.

The House being acquainted that one of the said Commissioners and Assessors attended without, they were called in, and acquainted from the Chair, by Order of the House, that it was the Opinion of the House, that, as Commissioners, they had a discretional Power, by which they were authorized to consider the Circumstances of such who, by Reason of the *Indian* Incursions, were rendered incapable to pay the Tax, in the same Manner the Commissioners were authorized by the County Rate and Levy Act.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 25, 1757.

The House taking into Consideration the Governor's Message of the Twenty-second Instant, with the Memorial of Sir *John St. Clair*, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters* and Mr. *Yorke* be a Committee to review and consider the Laws

now in Force for repairing and regulating the Roads within this Province, and bring in a Bill to supply the Defects of said Laws, if any such shall appear.

The Answer to the Governor's Message of the Twenty-second Instant being transcribed, the same was again read, signed by the Speaker, by Order of the House, and is as follows:

May it please your Honour,

THE House met at this Time, in Pursuance of the Governor's Summons, sincerely disposed to do the Public Business with that Unanimity and Dispatch the Good of the People and his Majesty's Service required, and expected to find the same Temper of Mind prevailing with the Governor. But we were both concerned and surprised, when we perused his Message, at the Beginning of this Sitting, and found in it, among many evident Reflections, two Charges of a most extraordinary Nature; that we had offered to your Honour an "Anti-constitutional" and an "Extraordinary Bill; and that the People of this Province had interfered with his Majesty's Prerogative of making War and Peace." Charges that plainly include a Design to subvert the Principles of the Constitution, and to invade one of the most settled Prerogatives of the Crown. And Charges, which, as they were without the least Foundation, our Duty to his Majesty, and a Regard to Truth, obliged us to refute; which we apprehend is fully done, by a fair and impartial Representation of a Number of Facts in our late Answer to that Message. But as the Governor has been pleased, in his Message of the Twenty-second Instant, to repeat those Accusations, with a Number of additional and aggravating Censures on our Conduct, without any just Reason, and we can have no room to doubt, but the Person who can censure without Cause, will not be backward in misrepresenting our Actions, to support those Censures, even to "the King's Ministers," we hope the Governor will excuse us, if we cannot pass over those Censures in Silence.

The Governor is pleased to assert, that "the first Part of our former Message contained nothing more than Excuses why we would not comply with his Majesty's Demands." That Part of our Message was a plain Narrative of Facts, referring to the Dates of Letters, the Supplies granted, and the known Circumstances and Burdens of the People; from whence it appeared that his Majesty's Demands had been even anticipated by the Loyalty and Zeal of his Subjects in this Province, in granting larger Supplies than they could well pay, and greater than most of the other Colonies have given. This being the Case, we are by no Means doubtful but his Majesty,

when he shall be truly acquainted with the Facts, will be convinced of our Loyalty and Affection to his Royal Person, and our Regard for the People we represent.—Nor are we terrified at the repeated and numerous Threats the Governor is pleased to intersperse throughout the most of his Messages, of representing our Conduct to the King's Ministers. We shall take the necessary Care to detect any Misrepresentations, and can chearfully rely on the Goodness of our Cause, and the Justice of the Crown and a *British* Parliament, in determining it.

The Governor's Misrepresentation of our Conduct can appear from nothing plainer than the Pains he has taken to prove that we have treated Lord *Loudoun* "with Indecency, and unjustly censured him." Can it be possible the Governor could misunderstand the Words of the Message? Or could he, whose Duty it is to protect us, unjustly intend to make that Nobleman an Enemy to the Province, by perverting the most decent and respectful Sentiments of his Lordship into unjust Censures? The Words of the Message, referred to by the Governor, are, "We cannot doubt, from his Excellency's *Activity* and *Conduct* in his Station, of his Concern at the Danger this, as well as the other, Colonies are exposed to: And we have Reason to apprehend, from his *known Justice*, that had he duly weighed the large Sum of Money already granted by us to his Majesty, and been fully acquainted with the Circumstances of the People, he would have waved pressing us at this Time for an additional Number of Forces." Was it unnatural or indecent to presume that his Lordship, a Stranger in the Province, lately arrived from *Europe*, intrusted wth Matters of the utmost Importance, which must necessarily engross his whole Attention, should be unacquainted with the Circumstances of the People? Or is it rational to conclude his Excellency could know the true State of the several Provinces, and particularly that of *Pennsylvania*, though but a Fort'night in it? If not, how could the Governor so manifestly misrepresent our Actions, and insinuate, that his Lordship "had not escaped our Censures." But of this his Lordship is to judge, to whose Justice and Honour we chearfully refer this unkind Reflection upon us from our Governor, without the least Foundation.

In order to justify the Governor's Conduct in rejecting the Militia Bill, he is pleased to assign two weighty Reasons, as he calls them; First, "That the late Bill which passed the House of Commons subjected the Militia, in Time of Insurrection or Invasion, to the Penalties of Death, or such other

Judgments as a Court-martial should inflict.”—It is strange, that the Governor cannot discriminate between that Bill and the Bill presented by this House. The former is not a general Militia Bill, nor obligatory on more than one Twentieth Part of the Community at one and the same Time, but every Freeholder was to have the Alternative of serving, or hiring a fit Person in his room; and if any of the Freeholders did not chuse to subject themselves to the Judgment of a Court-martial, they might by this Means avoid it. From whence we may rationally conclude, that Militia would be chiefly composed of hired Persons; and this seems still more probable from their receiving the same Pay as the King’s Troops, and their being obliged to muster on *Sundays*. The latter is a general Militia Bill, equally obligatory on the whole Community, without any such Alternative; and therefore every Freeholder in the Province would be subject to these Penalties, without any Opportunity of avoiding them.—Had the former Bill extended to all the Freemen of *Great-Britain*, and obliged them to give their personal Attendance, without such Choice, can it be reasonably presumed, that so wise a Body of Men, the great Supporters of the *English* Liberties, would have passed it?

Secondly, “That the Law repealed by his Majesty constituted a Court-martial for the Trial of Offenders, which the Bill before him has not done.”—’Tis true, no such Court was constituted by the Bill: Nor was it necessary, as it contained severe Penalties on Delinquents, and those Penalties are directed to be recovered in the Courts of Justice, and before the Officers of the Militia. The Constitution of a Court-martial, in that Law, as it was repealed, might be one of the Reasons of that Repeal. Nothing else can be naturally deduced from it.—How then could the Governor think of giving such a Reason for his refusing so necessary a Bill? The Choice of so bad an Argument is a clear Proof to us that good Reasons are scarce with the Governor to support his Conduct in this Respect. And as to the loose Manner, and pernicious Consequences, “of giving Liberties to evil disposed Persons of pretending they are actual Members of certain Congregations when they are not;”—we beg Leave to answer, “The evil Persons” of every Congregation have the same Liberties, upon paying the Fines for Non-attendance on the Military Duties; to enforce which, an equal and considerable Fine is laid on every Person capable of bearing Arms; and the Persons of those “certain Congregations” are not excused from their Duty, but upon the Payment of the same Sums that are im-

posed on others for their Delinquencies.—Where, then, is the Injustice or Inequality of the Bill?

But we are sorry to find, that no Militia Bill, however necessary for the Defence of the Province, will meet with the Governor's Concurrence, unless it is framed in such Manner as will enable designing Men to overturn the Constitution, subvert all our Rights and Privileges, and persecute several Sects of religious Societies, and honest and loyal Members of the Community, whom the Governor is pleased to favour with the kind Appellation "of the worst of Persons."

The Governor is pleased to inform us, that "before his Arrival, the Lower Counties had given, for the King's Use, as much as their Circumstances would permit." It had been well in the Governor to have particularized the Sum given, that others might judge of that Matter as well as himself.—We never have heard of their granting but *Two Thousand Pounds*. If more has been given, it is but trifling, compared with their Circumstances, and the Necessities of the Colonies. Their Lands are rich; many of their Farmers wealthy, and have all the Advantages of our Market, to which they bring their Commodities at little Expence. Those Counties, we presume, are capable of supplying at least the Proportion of a Tenth Part of the Aids of this Government; and yet, while this Province has expended in the Defence of itself and that Government near 220,000 *Pounds* in a short Time, we know of no Taxes laid by that Assembly towards their own Defence, or the Support of the War, except a Part of their Excise, out of which the Grants we have mentioned were made.—And this, the Governor is pleased to say, was "as much as their Circumstances would permit," and accordingly he has never called upon them for any further Aid, though he is expressly ordered by the Royal Instructions so to do, and has now been near Twelve Months in the Province.

The Stipulations with Lord *Loudoun*, the Governor says, "related to a secret Expedition, and could not at first, with Propriety, be communicated to the Assembly." They might, perhaps, relate to a secret Expedition, but if so, it was by no Means secretly conducted; for, during the Sitting of the Assembly, it was pretty generally known, and talked of, as well by the Officers of the Army as others, that such an Expedition was intended. Where then could be the Impropriety of communicating it to the Representatives of the People, without whose Aid the Stipulations could not be complied with? Why did he not request our Assistance in his Message at the Beginning of this Sitting? and why was the Assembly

obliged to offer their Aid without his Request? From whence it seems clear, that the Governor was so far from thinking it improper to be communicated, that he did not even think it necessary; but was possessed with a Notion that he could comply with that Engagement without our Assistance, though he had expressly, by the Tenor of the Stipulations, agreed so to do at the Time he entered into them.

Your Honour is pleased to agree with us, "that what relates to Recruiting has been too much neglected, and never worse carried on in any Country in the World." And you further add, "That this has been owing to a determined Resolution in the Commissioners, to retard the Recruiting Service." The Matter then is reduced to this single Point, Whether the Governor or the Commissioners are to blame? We shall not here enter into a full Justification of those Gentlemen; perhaps they may hereafter think it necessary to vindicate their own Conduct: But as they have laid their Minutes before us, in order to justify their Conduct to this House, we beg Leave to say, it appears to us from thence, that as soon as the Governor recommended the giving a *Pistole* Bounty, for the Inlisting of Men, they immediately and chearfully agreed to it; nor does it appear that your Honour ever requested a larger Bounty, or ever made that Request till the 25th of *April* last. And the Reasons those Gentlemen assign to us, in Vindication of their Conduct in not allowing *Five Pounds* a Man to the Officers for each Recruit, agreeable to the Governor's Recommendation, are as follow: First, Because many Persons of Reputation and Interest in the Province had offered, and are yet ready, to raise Companies of Men, without any Expence to the Public. Secondly, Because, from the Nature of the Service, the large Wages that are given, the Bounty offered, and the Inclination the People have ever shewn to enter into that Contract with the Government, the Commissioners had Reason to expect the Battalions might be kept complete with very little Expence or Trouble, had recruiting Orders been timely given. And this appears from your Honour's own Words, in a former Message, when you informed the House (however inconsistent with the Message we are now considering respecting that Matter) "That the Officers met with Success in Recruiting." And lastly, as great Part of the Sum granted was then expended, and the Remainder not likely to prove sufficient to answer the Purposes intended, they could not be so regardless of their Duty to the Public, and lavish of the People's Money, as to throw, unnecessarily, *Seven Thousand Pounds* into the Pockets of a Set of

Officers, from whom, either through the Default of their Commanders, or their own Neglect of Duty, the People have hitherto received but little Protection.

Thus far the Commissioners Conduct appears to us justifiable. But your Honour is pleased to proceed in your Censures of that Board, by saying "that constant Patroles and ranging Parties have been ordered out;" and that "even this Service has been materially checked, when the Soldiers wanted Pay and Necessaries; and more particularly when the very moderate Demands of Lieutenant Colonel *Armstrong* were refused, who had Instructions to encamp with Three Hundred Men the latter End of *March*, or the Beginning of *April*, in an advanced Post, to cover the Frontiers." If such Orders have been given, it can be no difficult Matter to prove "the Misconduct of the Persons employed in the Service of the Government," as your Honour calls on us to do. Was it not the Duty of the Officers to obey those Orders? Have not those Orders been *almost* altogether neglected, and the Men on the Frontiers sleeping in the Forts, while the adjacent Inhabitants have been murdered, without the least Attempt to relieve them? Were not near twenty of the Inhabitants, during the Time of the last Treaty at *Lancaster*, inhumanly butchered and captivated within thirty Miles of that Place, while the Troops, for the Space of six Days, remained inactive in their Forts, nor ever marched to their Assistance? And have not the Black Inhabitants more than once represented and complained of these Things? But "this Service was materially checked," as is said, by the Mens wanting both "Pay and Necessaries." That the Men ever wanted Necessaries, we are informed, is a Mistake; the Commissioners, whom the Governor is thus pleased to censure, having repeatedly staked their Credit and Fortunes to supply them, when the Governor arbitrarily withheld his Assent to the reasonable Bill, which, after a long and unnecessary Delay, he passed for their Pay and Support.

The Governor next proceeds to censure the Commissioners for refusing the "very moderate Demands of Colonel *Armstrong*." We need only mention the Facts, evidently to shew how unkind and unreasonable the Governor is in this Reflection. This Demand was laid before the Board at a Time when the Province was *Twenty Thousand Pounds* in Debt, and the Public Money, of which they had the Disposition, entirely expended, save about *Three Thousand Pounds* of the Arrears of the Proprietaries *Free Gift*, which was then unpaid, and alone remained to discharge the Public Debts.

Yet so extremely unreasonable was the Governor, as to expect that the Commissioners would further stake their Fortunes, already engaged for more than they could with Justice to their Families spare, and that upon the Public Credit; when, from the Governor's Conduct, they had as little Reason to think he would ever pass our reasonable Supply Bills to indemnify them, as they had to expect that the Proprietaries Receiver General would pay the Remainder of the *Free Gift*, for which he has been so often dunned, that the Commissioners had Reason to suspect there was no Design to pay it at all. But since this Encampment of Colonel *Armstrong*, as your Honour says, would "have cut off the Retreat of the Enemy, prevented the many Murders that have been committed, and the Captivating the many Prisoners that have been led into the worst of Slavery;" how has it happened that this Demand has never been made of the present Commissioners, since the Supplies have been granted, and since they have had it in their Power to have complied with it? And why was not Colonel *Armstrong* sent out to encamp there, when the Commissioners recommended it to the Governor at *Lancaster*? Are the Circumstances of the Case altered? Is not that Encampment as necessary now to cover the Frontiers, and to protect the Inhabitants, as it was then? Or, is it not more so, since this is the Season to expect the Enemy?

We are truly surprised at the Governor's Information, "That standing Orders were given at his first coming to reinlist Men whose Times were expired." Those Orders, it is well known, never were executed, nor attempted so to be. The Commissioners had it not in their Power to execute them; that was the Province of the Governor. And it seems to us, as if it was not expected that they should be obeyed, as nothing was ever done to enforce an Obedience to them, and as more particular Orders were granted to the several Battalions since. But we entreat the Governor would recollect a few Facts, which will set this Matter in a clear Light, and fully justify the Conduct of the Innocent. On the Twenty-third Day of *March* the Supply Bill was passed; a few Days after the Money was struck, and at the Disposal of the Governor and Commissioners. On the Twenty-fifth of *April*, as is said before, your Honour applied to the Commissioners to give a Bounty, which they immediately complied with; and yet, notwithstanding there was Money granted, a Bounty allowed for each Recruit, and the several Companies of the *Augusta* Regiment very incomplete, and daily diminishing, no particular Orders were given, as we are informed, nor the

Officers sent out on the Recruiting Service, until the Eighthteenth of *May*; and we have Reason to believe would not have been then, had not the Commissioners, moved with the Distresses of the People, by their Letter of that Date to your Honour, warmly requested that it might be done. But it is alleged, "that the Officers could not be spared to go a-recruiting, until Money was sent to pay the Regiment." More than one Officer out of a Company does not seem necessary to be absent on that Service; and one would imagine, under the particular Circumstances of that Battalion, it had been more prudent to have spared one of each Company, had his Place been supplied by a Draught from another Battalion, than totally to neglect the Recruiting Service For by this Means the Fort would have received daily Supplies of Men, at that Time so much wanted, instead of their constantly diminishing in Number.

From what Part of our Message your Honour could collect that heinous Charge of "Fraud" against the Proprietaries in their *Indian* Purchases, we are at a Loss to judge. That Message is now before us, and we cannot find the Word "Fraud" or "Proprietaries" mentioned therein on that Occasion, nor any Thing that can bear such a Meaning. It would be wrong in us to criminate any Man unheard, much less Gentlemen in the high Station our Proprietaries bear in this Province; and the Governor must own, on Reflection (notwithstanding what he has been pleased to insinuate) that we have not done it; and we assure the Governor, it will give us as much "Pleasure" as it can give him, "to right their Honour," and at the same Time do the *Indians* Justice, in "Case it appears that their Complaints are well founded."

We are by no Means fond of entering into a Controversy with the Governor respecting *Indian* Purchases, being in Hopes the *Indian* Complaints will be settled, and Tranquillity thereby restored to the Province; but cannot avoid adding, that we are still of our former Opinion, "that the Cause of the present *Indian* Incursions on the Province, have arisen, "in a great Measure, from the exorbitant Purchases made, or supposed to be made, of the *Indians*." This appears from the general Tenor of both the late Treaties; though some Parts of the former, respecting the *Indian* Purchases, are so faintly and incongruously expressed, that they are scarce intelligible. This is the Case with that Part the Governor relies on to refute our Assertion.—But a little Reflection on some other Parts of that Treaty, which are clearly expressed, will evidently prove it. *Teedyuscung* with great

Ardour declared, "that the Lands lying between *Tohiccon* and *Wyoming*, on the River *Susquehanna*, were his, and that it was taken from him by Fraud." And the Speaker of the *Six United Nations*, at the *Lancaster Treaty*, expresses himself in this Manner: "Brothers, you desired us to open our Hearts, and inform you of every Thing we knew that might give Rise to the Quarrel between you and our Nephews and Brothers."—He proceeds to declare, that upon some Difference between them and the *English*, the *Six Nations* "thought proper to remove them, giving them Lands to plant and hunt on at *Wyoming* and *Juniata*, on *Susquehanna*; but that the *English* covetous of Land, made Plantations there, and spoiled the *Indians* Hunting Ground: That they complained to the *Six Nations*, who looked over those Lands, and found their Complaints to be true." After this open Declaration of the *Six Nations*, joined with that of *Teedyuscung*, how can it be doubted, that the large Purchases, made by the Proprietaries Agents, have given them Disgust?—Have not the *Six Nations*, at their last Treaty, recommended it to the Governor, as the only Means of restoring Peace to the Province, "rather to give some Part of their Fields back again, than differ with them." Is it not now manifest that nothing less will satisfy them, but a surrendering up of their Hunting Country, and the only Land they have left to live in, and a Settlement of a Boundary, not to be encroached on, between us? And supposing it true, that "the settled Parts of the Province are not more than one Eighth," the Conclusion of the Governor, that "the other seven Eighths are yet left to the *Indians*," will by no Means satisfy them. They justly consider, that Purchases, however made, give a Pretence to remove the Possessors at Pleasure: That should they be removed from the Lands already purchased, or pretended so to be, they have no Place to subsist in; and in this Case it will be but little Satisfaction to them to reflect, that it is not settled.

We assure the Governor, that nothing could give us more Pleasure, than the Resolution he has taken, "in Conjunction with the King's Agent, to settle any Differences subsisting with the *Indians*." Nothing, we are convinced, can so effectually conciliate the Minds of the Natives to his Majesty's Interest, as so salutary a Measure; and therefore we assure your Honour, that nothing in our Power that may contribute to so good a Work, shall be wanting. Your Honour has begun, and made a considerable Progress therein, with a good Degree of Success, with which the *Indians* have expressed their

Satisfaction; and therefore we request your Honour will be present at the ensuing Conference, as your Non-attendance will certainly occasion great Disgust to the *Indians*, and from their known Disposition, in all Probability, destroy the good Effects that may be expected from it. We have recommended it to the Commissioners, who will bear the Expence of the Conference, and supply your Honour with what Money you shall think proper to call on them for, to defray your Expences on that Occasion.

We are heartily sorry the Governor should so far misunderstand our Message, as to think in any Part of it we had "laid aside Decency." We are not conscious of the Justice of that Charge. It is our undoubted Right, as an Assembly of this Province, to represent the public Grievances, and the Mismanagement of public Affairs, and to vindicate our Conduct, which has been unjustly misrepresented. This we have done, and this we hope we may ever do, without justly incurring the Imputation of "Want of Manners;" as an Omission thereof would be a manifest Breach of our Duty to the People we represent.

Signed, by Order of the House,

June 25, 1757.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Douglas and Mr. West wait on the Governor with the foregoing Answer from the House, and acquaint his Honour, that the Members, having gone through the Business that lay before them, incline to adjourn to the Eighth Day of *August* next: And that if in the mean Time it be agreeable to the Governor that some of the Gentlemen of the Assembly do attend him to *Easton*, to the expected Conferences with *Teedyuscung*, and other *Indians*, the House will nominate the Committee who waited on his Honour to *Lancaster*, for that Purpose: Also, that the House, upon considering the Memorial of Sir *John St. Clair*, and the Governor's Message sent down therewith, have appointed a Committee to revise the Laws in Force for repairing and regulating Highways, and to bring in a Bill to supply their Defects, if any shall appear.

The Members return and reported, that they had waited on the Governor, and delivered the Message of the House according to Order; to which his Honour was pleased to answer, that he had a short Message just ready to send to the House, which it would be necessary for them to consider before they adjourned.—That they also acquainted his Honour, the House had appointed the same Members who waited on him to *Lan-*

caster, with Mr. *Hughes* and Mr. *Roberdeau*, to attend him at the proposed Conferences to be held with *Teedyuscung*, at *Easton*, if it would be agreeable to him; upon which his Honour made a Bow, but returned no Answer.

The Governor sent down a Message, by the Secretary, which was read, and is as follows, *viz.*

GENTLEMEN,

'IN Case of an Attack, which we have the greatest Reason to expect, it will be necessary for me to raise Volunteers; to order a Detachment of the Militia of the Lower Counties to march for the Defence of this Province; and further, to apply for a Body of the Militia of *New-Jersey*. These Troops should be supplied with Ammunition, Provisions, Carriages, Quarters, and such other Necessaries as may be wanted for the Convenience of their Marching and Encampment; besides, there will be wanting Arms and Accoutrements for the Volunteers: I most earnestly recommend it to you to make the proper Provisions for these several Articles, otherwise the Consequence will be fatal to this Province.

June 25, 1757.

WILLIAM DENNY."

The House taking into their immediate Consideration the above Message from the Governor, came to the following Resolves, *viz.*

Resolved, 1. That the House are desirous to pass, and have repeatedly presented to the Governor, a Bill for forming and regulating the Militia of this Province; which, had he thought proper to have given his Assent to, would have enabled him to have protected the People: And that his Refusal of the said Bill is a Denial of that Protection which they have a Right to demand, and was his incumbent Duty to have granted.

Resolved, 2. That this House having passed a Law for granting *One Hundred Thousand Pounds* to the King's Use, for the Raising and Maintaining Fourteen Hundred Men for the Defence of the Province, had the Governor taken the proper Care in recruiting the Provincial Regiments, would have been sufficient at this Time, with the Assistance of the King's Forces now on our Frontiers, to have defended the Province against any Number of the Enemy we have Reason to expect are coming against us.

Resolved, 3. That the said Supply Bill has invested the Provincial Commissioners with Power to dispose of the said *One Hundred Thousand Pounds*, for the Defence of the People, with the Assent of the Governor, and the House doubts not

but they will chearfully defray the Expence of such prudent Measures as to them shall appear necessary for the Protection of the Province.

Resolved, 4. That it appears to us, that the Governor is determined to withhold that Protection from the People of this Province which a proper Militia might afford them, unless we will present him with such a Bill as will enable certain designing Men to subvert the Constitution, and deprive the Inhabitants of every Liberty they think worth enjoying.

The Clerk having made out a fair Transcript of the foregoing Resolves,

Ordered, That Mr. *Roberdeau* and Mr. *West* wait upon the Governor therewith, and deliver the same, in Answer to his Honour's Message of this Day.

Then the House adjourned to the Eighth Day of *August* next, the Time of Adjournment fixed at the Close of their last Session.

August 8, 1757.

THIS Day Mr. Speaker and Twenty of the Members met, agreeable to their Adjournment, but a Quorum not appearing, they adjourned to Three o'Clock To-morrow Afternoon.

August 9, 1757.

Ordered, That Mr. *Baynton* and Mr. *West* wait on the Governor, and acquaint him, that a Quorum of the House being met, pursuant to Adjournment, desire to know if his Honour hath any Business to lay before them.

A Petition from *Joseph Thomas* was presented to the House, praying that he may be appointed the Officer for inspecting and branding Flour exported from this Province, which was read, and

Ordered to lie on the Table.

The Members appointed to wait on the Governor, reported, that they had delivered the Message according to Order; and that his Honour was pleased to say, he had not at present any Business to lay before the House.

Then the House adjourned to *Tuesday*, the 16th Instant, at Four o'Clock in the Afternoon.

August 16, 1757.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Pearne* and Mr. *Walker* wait on the Governor, and acquaint him, that the House being met, desire to know if his Honour hath any Thing to lay before them.

The Members appointed to wait on the Governor, reported, they had delivered the Message according to Order; and that his Honour was pleased to say, the Secretary should immediately attend the House with a Message.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of the Speaker, and the House, in the Council Chamber immediately."

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, Mr. Speaker resumed the Chair, and reported, that the Governor had made a Speech to the House, of which he had delivered him a Copy, with several Letters referred to in the said Speech.

The Governor's Speech being read, follows in these Words, viz.

Mr. Speaker and Gentlemen of the Assembly,

'THE Letters now laid before you contain the most alarming Accounts of the great and immediate Danger to which his Majesty's Colonies are exposed, by the Progress of a *French Army*, composed of Regulars, *Canadians* and *Indians*, to the Amount of Eleven Thousand, and supplied with a large Train of Artillery, consisting of Thirty-six Pieces of Cannon, and, at least, five Mortars. You will perceive that *Fort William Henry* was invested by them on the Third Instant, and surrendered on the Eighth; and that the next Day they attacked *Fort Edward*, where it is doubted they will not meet with a long Resistance, as there was but a small Force in it, and no Probability that the Draughts of the Militia would arrive Time enough, from the several Northern Governments, for its Relief.

'Where the Progress of our ever vigilant and restless Enemy will be stopped, God only knows; but from their Numbers, and the vast Rapidity with which they prosecute their Advantages, we may be certain that some grand Design is on Foot, as a Counter-project to that of his Excellency the Earl of Loudoun, for over-running and conquering these Colonies in his Absence. And it is more than probable, from other Intelligence now likewise laid before you, that we shall soon hear of another *French Army* falling upon these Southern Provinces from the *Ohio* and *Mississippi*, in order to support that which is now marching down upon *Albany* and *New-York*; while most of the Cities and Places of Trade lie exposed to the Mercy of the smallest Force from Sea. This, Gentlemen, is a true, but melancholy, State of our Affairs. The most prejudiced

Eye cannot now set the Danger at a Distance, nor presume to treat these Accounts as the Tales of a Day, invented or exaggerated through Party Views.

'It is not my Intention to aggravate our present Distress by a painful Review of what is past; but can I, Gentlemen, consistent with my Duty, forbear to mention that this Province has been the unhappy Seat of a cruel War for upwards of two Years, groaning under the bloody Outrages of a most barbarous Enemy, the Troops sent to our Protection defeated and destroyed, our Borders pillaged and laid waste, great Numbers murdered and carried into Captivity, and Eleven Thousand of the Enemy at this Instant in the Heart of a neighbouring Province, at present carrying all before them; while we, amidst this Series of Misfortunes, are neither put into a sufficient Posture to defend ourselves, nor have Power or Authority, out of the vast Number of fighting Men this Government contains, to send a single Man of them to the Relief of our Neighbours, without calling in the ranging Parties that are constantly out, and evacuating the few Garrisons we have on our Frontiers, now more than ever necessary for their Defence. These Things, Gentlemen, are so surprising in their Nature, that they would exceed all Credibility, if the Facts were not too flagrant, and too fatally felt. Let me therefore entreat you, if you make a Distinction between Liberty and Slavery, between your inestimable Privileges as *Englishmen*, and a miserable Subjection to arbitrary Power, to embrace this Opportunity, perhaps the last, to retrieve, as much as possible, former Errors, and act vigorously, as your All is now at Stake.

'There are three Things which I must immediately recommend to you:

'*First*, To enable me to send an effectual Succour to the City and Province of *New-York*, where a Stand, it is hoped, may be made, as a Moment's Time is not to be lost. This, I conceive, can only be done by encouraging a Number of able-bodied and public-spirited Volunteers to go from this City, and the Parts adjacent, as the Provincials cannot be spared from our Frontiers, without exposing the Province to immediate Danger; and were they even, a Force sufficient for the Purpose, are at too great a Distance, and too much dispersed, to bring any timely Relief. It will be necessary therefore to provide a sufficient Quantity of Arms, Ammunition, Tents, and other Camp-Necessaries, for those who shall go on this Service.

'*Secondly*, As you cannot but be convinced that the Want of

a Militia Law in this Province is of the most dangerous Consequence, and has been a great Source of our present Misfortunes, encouraging the Enemy in their bloody Designs, as well knowing us to be an undisciplined Multitude, incapable of defending ourselves, or assisting others; I must once more press, and earnestly request, you to unite, and enable me to call forth the natural Strength of the Province by an equitable and constitutional Militia Law, which will in the strongest Manner provide for our own Defence, supply the Means of assisting our Neighbours, and render us really formidable to the Enemy, and at a less Expence than the present Method of Defence.

'In forming this Law, I hope you will avoid those Points on which we have formerly differed; and particularly, that you will not endeavor to take the Appointment of the Officers out of the Hand of the Government, as this would be destructive of the just Prerogative of the Crown, to which I can never consent, his Majesty having already signified his Pleasure in that Matter by the Repeal of the former Law. Let me therefore, Gentlemen, prevail on you to frame a proper Bill, suitable to our present imminent Danger, on such a Plan as has been found effectual by the Wisdom and Experience of our Neighbours and Fellow-Subjects.

'Thirdly, I recommend it to you to make the best Improvement of our Alliance entered into with the *Indians* at the late Treaty at *Easton*, by enabling me to give them Encouragement, together with Ammunition and other Necessaries, to act offensively against the Enemy; and likewise to comply with the several Requests they made of me at the said Treaty, the Particulars whereof you will see from the Minutes, which shall be laid before you.

'These Things will require the utmost Dispatch; and they are of such great immediate Consequence to the Preservation of our Lives and Properties at this Juncture of extreme Danger, that I think it my Duty to enter upon no other Business till they are effectually provided for.'

The Papers referred to in the foregoing Speech were respectively dated and entituled as follow, viz.

1. *A Letter from his Excellency Governor Sharpe, dated July 14, 1757; containing some Account of the Strength of Fort Duquesne, given by an English Prisoner taken at Fort Granville, who made his Escape from the French some short Time before the Date of said Letter.*

2. *A Letter from Mr. G. Bartman, Aid de Camp of General*

Webb, to *Lieutenant Governor DeLancey dated at Fort Edward, August 3, Twelve o'Clock at Night*; acquainting him, that *Fort William Henry* was that Morning invested by 4000 *Canadians*, 4500 *Indians*, and some *Regulars*, with *Thirty-six Pieces of Cannon*, and at least three *Mortars*.

3. A Letter from *Capt. G. Christie, dated at Albany, August 4, Twelve o'Clock, to Governor De Lancey*; advising him, that he had just received Intelligence, by Express, from General Webb, at *Fort Edward*, that a large Body of the Enemy, to the Amount of *Eleven Hundred*, had landed and invested *Fort William Henry*, and that he (*Capt. Christie*) was in no Condition to give further Assistance to the said Fort, having previously sent thither all the Force he could spare from *Fort Edward*.

4. A Letter from *Mr. Kennedy, President of the Council at New-York, dated from thence, August 6, to Governor Denny*; acquainting him, that *Governor De Lancey* embarked the Day before for *Albany*, and enclosing Copies of the Letters from *Mr. Bartman* and *Capt. Christie*, to him, mentioned under No. 2 and 3.

5. A Letter from *Governor De Lancey, dated at Albany, August 10, Six o'Clock in the Morning, to the Council of New-York*; informing them, that the Firing at *Fort William Henry* ceased the Day before, at Six o'Clock, A. M. from which he apprehended the Fort had capitulated; and in the Postscript tells them he was that Instant acquainted, by Express from General Webb, the Fort had surrendered at Seven.

6. A Letter from the Council at *New-York, dated August 12, to Governor Denny*; enclosing the above Letter from *Governor De Lancey*, and desiring immediate Assistance from this Government.

The House taking into Consideration the Governor's Speech, and the alarming Intelligence therewith laid before them, and being sincerely desirous to give all the Assistance in their Power to the distressed Colony of *New-York*, as soon as possible,

Ordered, That *Mr. Leech, Mr. Galloway, Mr. Masters, Mr. Vanhorn, Mr. Morton, Messieurs John and James Wright*, with *Mr. Yorke*, be a Committee to prepare a Bill for empowering the Governor to march a Part of the Troops of the Province to the Assistance of the Colony of *New-York*, now actually invaded by a formidable Body of *French*, with their savage *Indian Allies*, and in immediate Danger of being lost to the Crown.

Then the House adjourned to Nine o'Clock To-morrow Morning.

August 17, 1757.

The Committee appointed to prepare a Bill to enable the Governor to draw out and march a Part of the Troops of this Province to the Assistance of the Government of *New-York*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered to lie on the Table for the Perusal of the Members.

The said Committee likewise delivered a Draught of a Message to the Governor, intended to accompany the said Bill when sent up to his Honour, which was read, and referred to further Consideration.

The House being acquainted, that a Number of the Petitioners against *William Moore*, Esq; of *Chester* County, were attending without, agreeable to the Notice given them for that Purpose,

Resolved, That a Hearing of the said Petitioners be deferred to *Thursday* next, the Twenty-fifth Instant, and that the Clerk give them Notice to attend accordingly.

Ordered, That the Clerk give Notice to *William Moore*, Esq; of the said Appointment in order that he may attend with the Petitioners at the Time aforesaid.

Then the House adjourned to Two o'Clock, *P. M.*

The House resumed the Consideration of the Bill to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of the Province of *New-York*; which being read the second time, was ordered to be transcribed.

The Message intended to accompany the said Bill being also read a second time, was ordered to be transcribed, and brought in therewith.

Then the House adjourned to Nine o'Clock To-morrow Morning.

August 18, 1757.

The Bill, entituled, "*An act to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of the Province of New-York*", being transcribed, was read the third time.

Resolved, That the said Bill do pass.

The Message to the Governor was read, and agreed to, and is as follows, *viz.*

May it please your HONOUR,

WE are truly sensible of the Distress which the Province of *New-York* is under by the Invasion of a *French* Army, joined by their savage Allies, and the Danger to which his Majesty's Colonies in general are exposed; and we think it our Duty to afford them all the Assistance in our Power, under our present Circumstances, and that in the most expeditious Manner. For which Purpose we have prepared a Bill to enable your Honour to draw out Part of the Provincial Forces, and to march them to such Parts of that Province as shall most require their Aid; and, that this Province may not in the mean Time be unprovided with the necessary Defence, to impower you, by giving a Bounty, to enlist and take into immediate Pay, as many Men as will be sufficient to supply their Places until the Provincials shall return to their Stations. The Measure proposed by your Honour, we apprehend, would be attended with so much Delay, that the Assistance intended could not possibly arrive Time enough to be of any Service.—The raising of Volunteers, even for the Service of this Government, we have found by Experience to be very difficult, and requires much Time to enlist but a small Number of them, since the Province has been drained of its single Men by the King's Officers in the Recruiting Service; so much, that the present Invasion of the Colony of *New-York*, we apprehend, must be determined before they could be raised. But your Honour must be sensible, that our Frontier Inhabitants have received so little Protection from the Provincial Forces, under their present Management, that from one End of our Borders to the other they are obliged to keep Watch, for the Defence of their Lives and Properties, at their own Expence. A Number of these Men have applied to your Honour to be taken into Pay, and are willing to do all the Duties of Provincials, and, we conceive, would immediately enter as Volunteers, to defend the Frontiers, for a very small Bounty, and the Provincials might thereupon be immediately dispatched to the Relief of *New-York*. In order to do this with Expedition, we cannot avoid recommending it to you, to grant Commissions to such Men as are interested in the Defence of the Province, have an Influence with the People, in whom they have a Confidence, and under whom they are willing to serve. By this Means only we know, from Experience, Vol-

unteers are to be raised with Speed. In the Beginning of the *Indian* Depredations, when Officers and Men were wanted, and your Honour's Predecessor pursued this Measure, more than sufficient offered their Service without a Bounty; the same we are assured would be done on this distressing Occasion, and without this we are persuaded your Honour will not be able to raise a Number of Volunteers, either to defend the Frontiers in the Absence of the Provincials, or to march to the Assistance of the neighbouring Province: And therefore we entreat your Honour to exert yourself on this Occasion, and to issue a Proclamation, informing the People, that such as shall provide a Company of Men shall be immediately commissioned, and, with their Companies, be taken into Pay for the Defence of our Frontiers.

But as we are sincerely disposed to give every Aid in our Power on this Occasion, if, your Honour, notwithstanding what we have offered, should think you can with more Expedition raise a Number of Volunteers in this City and the adjacent Counties, we have also in the Bill enabled the Commissioners, with your Approbation, to give a large Bounty to such as shall enlist for that Purpose, and to supply them with the necessary Arms and Ammunition."

The foregoing Message being signed by Mr. Speaker, by Order of the House,

Ordered, That Mr. *Denormandie* and Mr. *Trimble* wait on the Governor, and deliver the same, together with the above-mentioned Bill, for his Honour's Concurrence therewith.

A Petition from *Matthew Schropp* and *Johannes Bristell*, two of the *Morvanian* Brethern at *Bethlehem*, was presented to the House and read, praying to be informed respecting the Provision that Society is to make, at the Expence of the Government, for Maintenance of the *Indians* who now are and such as may hereafter come to their said Settlement and recommending that *Timothy Horsefield*, Esq; and Mr. *George Klein*, be vested with Powers to make such Provision as may be thought necessary for the said Purpose.

Ordered to lie on the Table.

The Gentlemen appointed to wait on the Governor with the Message from the House, and the Bill, entitled, *An Act to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of New-York*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would immediately

take them into Consideration, and give the said Bill all the Dispatch in his Power.

Ordered, That Mr. *Leech*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Masters*, Mr. *Denormandie*, Mr. *Trimble*, Mr. *James Wright*, Mr. *Webb*, Mr. *John Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for forming and regulating the Militia of this Province.

Then the House adjourned to Three o'Clock, P. M.

Ordered, That Mr. *Owen* and Mr. *Smith* wait upon the Governor, and acquaint him, that, as his Honour had recommended to the House, in his Speech of the Sixteenth Instant, three Points in particular to be considered by them, *viz.*—1st, To enable the Governor to send immediate Assistance to the distressed Colony of *New-York*.—2dly, To frame and present to him a Militia Bill, by which the natural Strength of this Province may be exerted. And 3dly, To improve the peace lately concluded with the *Indians*. Pursuant to the said Recommendation the House had considered the first of those Particulars, and laid their Result before him: The second was in the Hands of a Committee appointed for that Purpose; and the House are now ready to enter upon the third; but cannot proceed for want of the Minutes of the *Indian Treaty* lately held at *Easton*, and therefore desire to know when his Honour will be pleased to lay the said Minutes before the House, and acquaint them with his Result upon the Bill sent up this Morning.

The Members appointed to wait on the Governor, reported, they had delivered the foregoing Message according to Order; and that his Honour was pleased to say, a Copy of the Minutes of the late *Indian Treaty*, held at *Easton*, should be laid before the House as soon as it could be made ready, and that he had the Bill presented to him in the Forenoon under Consideration.

Then the House Adjourned to Ten O'Clock To-morrow Morning.

August 19, 1757.

His Honour, by the Secretary, sent down the Bill, entitled, *An Act to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of the Province of New-York, with his Amendments thereon.*

The House taking the Governor's Amendments on the said

Bill into immediate Consideration, admitted the same, and ordered the Bill to be engrossed accordingly.

Ordered, That Mr. *Blackledge* and Mr. *Trimble* wait on the Governor, and acquaint him, that the House agree to his Honour's Amendments on the Bill returned by the Secretary, and have ordered the said Bill to be engrossed accordingly; that they shall be ready to attend the Governor to see the same enacted into a Law at Three o'Clock this Afternoon, and will appoint two of their Members to meet the like Number of the Council to compare the engrossed Copy of the Bill with its Original.

The Gentlemen appointed to wait on the Governor with the above Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say he would be at the Council Chamber at Five in the Afternoon, to enact the said Bill into a Law.

The House being informed that *William M'Ilvaine*, Merchant, of the City of *Philadelphia*, had uttered publicly, in the Presence of one of its Members, and others, certain false and scandalous Reflections on this Branch of the Legislature;

Ordered, That Mr. Speaker do immediately issue his Warrant to the Serjeant at Arms, requiring him to bring the said *William M'Ilvaine* forthwith to the Bar of this House, to answer such Questions as shall then and there be put to him.

The Serjeant at Arms returned, and reported, that the said *William M'Ilvaine* had absconded, and was not to be found.

Then the House adjourned to Four o'Clock, *P. M.*

The Bill to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of the Province of *New-York*, being engrossed,

Ordered, That Mr. *Blackledge* and Mr. *Trimble* meet the Members of Council to collate the engrossed Copy of said Bill with its Original.

The Members returned, and reported, they had joined with the Members of Council in comparing the engrossed Bill with its Original, and found them to agree.

A Message by Mr. Secretary:

"*SIR*,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber immediately."

Then Mr. Speaker, with the whole House, waited on his Honour; and being returned, Mr. Speaker resumed the Chair,

and reported, that the House had waited on the Governor with the Bill, entituled, *An Act to enable the Governor to draw out and march One Thousand Men, Part of the Troops of this Province, or the like Number of Volunteers, to be raised for the Assistance of the Province of New-York*, to which the Governor had been pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. *Blackledge* and Mr. *Trimble* do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

The Committee appointed to prepare and bring in a Bill for forming and regulating the Militia of this Province, reported, they had essayed a Draught for that Purpose, which they delivered at the Table.

Ordered, That the same do lie on the Table for the Perusal of the Members.

The Governor, by the Secretary, sent down to the House a Representation presented to him in Behalf of the late Inhabitants of *Nova Scotia*, which being read, and considered,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Pearne*, Mr. *Masters* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for imposing a Penalty on the Overseers of the Poor of the several Townships of this Province, who shall neglect to make the necessary Provision for Support of the said late Inhabitants of *Nova Scotia*, dispersed therein, agreeable to the Act lately passed by this House for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

August 20, 1757.

The Members appointed to see the Great Seal affixed to the Law, enacted Yesterday Afternoon, and the said Law deposited in the Rolls Office, reported, they had done the same according to Order.

The Draught of a Bill for forming and regulating the Militia of this Province, brought in Yesterday by the Committee appointed for that Purpose, was read the first time, and

Ordered to lie on the Table.

The Governor sent down to the House, by the Secretary, a Copy of the Treaty lately held at *Easton* between this Government and *Teedyuscung*, King of the *Delawares*, together with a Letter from *George Croghan*, Esq; to his Honour, informing him, that *Teedyuscung* had desired the Minutes of the said Treaty might not be made public till

transmitted to Sir *William Johnson*, and published by him, or with his Assent.

The said Minutes were in Part read.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

August 22, 1757.

The House met, pursuant to their Adjournment.

The Minutes of the late Treaty held at *Euston* (in Part read on *Saturday* last) were again taken up and read through.

Then the House adjourned to Ten o'Clock To-morrow Morning.

August 23, 1757.

Mr. *Masters*, Mr. *Fox*, Mr. *Hughes* and Mr. *Galloway* (Provincial Commissioners) observing in the Minutes of the *Easton* Treaty, read last Night in Assembly, that a Remonstrance from them to the Governor, in Behalf of *Teedyuscung's* being allowed a Clerk, was inserted in the said Minutes, desired Leave of the House to have his Honour's Reply to that Remonstrance, and their Answer to the said Reply also, read before them; which being agreed to, the same were read accordingly.

Then the House adjourned to Three o'Clock precisely, P. M.

Mr. Speaker presented to the House a Letter he had received from *William Plumsted*, Esq; relating to the late *Northampton* Election, which was read.

The House being acquainted, that *William Parsons*, Esq; and some others, principally concerned in the late Election for the County of *Northampton*, were attending without, agreeable to Notice given them for that Purpose;

Ordered, That the said *William Parsons* be called in, which was accordingly done.

Mr. Speaker then, by Order of the House, acquainted him, that as it appeared from certain Affidavits, that he detained the Writ, issued to the Sheriff for holding that Election, so long as to prevent certain of the Inhabitants of the said County from receiving timely Notice thereof, with other illegal Practices respecting the said Election, the House had now summoned him before them to know what he could say in his Vindication, and to require that he would produce the Letter from the Secretary, inclosing the said Writ to him.

To which Mr. *Parsons* replied, that he did not indeed, as

he had before acknowledged to the House, deliver the said Writ to the Sheriff till the Day after he received it, which was owing rather to an Error in Judgment than to any Party Views or dishonest Intentions: And as to the Secretary's Letter, which he engaged to lay before the House, it was not now in his Power to do it, as he had for some Years past made it a Rule, in order to prevent too great an Increase of Papers in his Office, to destroy all that came to his Hands, except those immediately relative to Business; and supposed that the Paper now demanded by the House, had, amongst others, been so destroyed; but humbly assured the House, that the Paper inclosing the Writ to him, contained (to the best of his Memory) no Letter, nor had any Writing on it, except the Superscription; and that he hoped the House would favour him with Copies of the Allegations contained in the said Affidavits against him.

He was then desired to withdraw, and Mr. Speaker having taken the Opinion of the House respecting his Request of Copies of the Charges against him, the said *Parsons* was again called in, and acquainted, that he should be furnished with the necessary Extracts from the Affidavits referred to:—He humbly thanked the House for their Indulgence, and desired the further Favour of Counsel, in Case he should think it necessary to his Vindication; which being granted, he withdrew.

Ordered, That Mr. *Hughes*, Mr. *Galloway* and Mr. *Masters* be a Committee to extract from the Affidavits, taken before the House, the Charges therein contained against the said *William Parsons*, and furnish him with Copies of the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

August 24, 1757.

A Petition from the Inhabitants of *Pawton* Township was presented to the House and read, setting forth, that the small Company of Provincials, stationed at *Fort Hunter*, being removed from thence, has left the neighbouring Settlements exposed to great Danger from Incursions of the *Indian* Enemy, insomuch that the People must soon be reduced to the Necessity of deserting their Habitations to preserve their Lives; and earnestly recommending and praying, that *Fort Halifax* may be evacuated, as useless, and its Garrison stationed at *Fort Hunter*, where they will not only be a Guard to the Petitioners, but can more effectually protect Supplies going up to *Augusta*.

The House having considered the said Petition, and being informed that *Matthew Cowdon*, on Behalf of the Petitioners, was attending without, ordered him to be called in, and acquainted him, that the House had taken their Petition into Consideration, and were touched with Compassion for the Sufferings and dangerous Situation of the Inhabitants in that Part of the Province; but as they had no Right to order any of the Provincial Forces to their Assistance, the Petitioners had judged well in presenting a Petition for that Purpose to the Governor, who had the Power of giving the Protection they asked; wherefore, they advised him to wait for his Honour's Determination, and acquaint the House with it.

Then the House adjourned to Two o'Clock, *P. M.*

The Committee appointed to extráct the Charges contained in the Affidavits taken before the House against *William Parsons*, Esq; reported, they had made an Essay for that Purpose, which they delivered at the Table, and the same being read,

Ordered, That the Clerk make a fair Transcript thereof, and deliver it to the said *Parsons*, which was done accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

August 25, 1757.

A Number of the Petitioners against *William Moore*, Esq; attending without, agreeable to Notice given for that Purpose, but the said *Moore* not appearing, though in the City,

Ordered, That the Clerk give him and the said Petitioners Notice to attend the House at Four o'Clock in the Afternoon.

The House resumed the Consideration of the Militia Bill, and having spent some Time therein, adjourned to Three o'Clock, *P. M.*

William Moore, Esq; with a Number of the Petitioners against him, attending, according to Appointment, were called in, and Mr. Speaker, by Order of the House, acquainted the said *Moore*, that as many Petitions had been presented to the House, chargeing him with Oppression and Injustice, in the Execution of his Office as a Magistrate, they had determined to allow the Petitioners a public Hearing before them; but as no Man ought to be condemned without an Opportunity of making his Defence, the House thought it proper that he, the said *Moore*, should be present at the said Hearing, and therefore he had been required to give his Attendance at this Time.

The said *Moore* then delivered a Paper at the Table, and desired it might be read, which was done accordingly.

He was then, with the Petitioners, and others, desired to withdraw.

The House having considered the Paper presented by *William Moore*, ordered him to be again called in, and Mr. Speaker acquainted him, that the House had no Doubt as to their Right of proceeding to hear and enquire into the Complaints of the Petitioners, at which he had Liberty to be present, and might take the Assistance of such Counsel as he chose; and that as it was necessary to his Defence he should be furnished with Copies of the Petitions against him, they had been some Days in Readiness for that Purpose, and should be delivered him, which was accordingly done.—He then withdrew.

The House taking into Consideration that the said *Moore*, though supplied with Copies of the Charges against him, was still unprepared for an immediate Defence of his Character, and being unwilling to deprive him of any Aids and Opportunities necessary to it, notwithstanding they were now wanting through his own Neglect to procure them, he was again ordered, with the Petitioners, to be called in; when Mr. Speaker further informed him, that the House, though convinced by their Clerk, and his own Acknowledgments, of his having received sufficient Notice of the Day appointed for a Hearing of the Allegations against him, to have provided himself with Copies of those Allegations, which were in Time made out, and which he had purposely neglected to apply for, yet they had consented to defer their Enquiry into the Complaints of the Petitioners till the first Day of *September* next, by which Time he might be fully prepared for his Vindication, and was required, with all the Petitioners present, to give his Attendance again on the House.

In Answer to the above, the said *Moore* confessed he had received some Days Notice from the Clerk of Assembly, that Copies of the Petitions were in Readiness for him, but he was required to pay the Expence of transcribing them, at the Time of Delivery, which had prevented his Application. Mr. Speaker replied, nothing could be more reasonable than such a Demand, and that the Clerk had the Authority of the House for so doing.

He was then, with all the Petitioners, dismissed, and the House adjourned to Ten o'Clock To-morrow Morning.

August 26, 1757.

A Petition from sundry of the Inhabitants of *Derry Township*, in *Lancaster County*, was presented to the House and read, setting forth their Sufferings and Losses from the late Incursions of the *Indian Enemy*, and praying that the Company of Provincials, stationed on that Part of the Frontier for their Protection, may be encreased, as they have Reason to believe the Number of the Enemy is considerable.

Ordered, That Mr. *James Read* and Mr. *James Biddle*, now in Town, be desired to attend the House at Three o'Clock in the Afternoon.

The Governor sent down by the Secretary a Letter from Captain *Jacob Orndt*, dated at *Fort Allen*, August 19, 1757; acquainting his Honour, that he, with *Teedyuscung*, and other *Indians*, were safely arrived at that Place; that the King, and his People, seemed well pleased, and did not blame any of their Brethren the *English* for the Death of the *Indian* near *Easton*, believing he had been killed by some of their own People; that *Teedyuscung* desired him to inform the Governor, that he (*Teedyuscung*) had forgot, at the late Treaty, to appoint the Time when he should come down, with other *Indians*, to settle at *Wyoming*, and therefore requested his Honour would be pleased to send Workmen thither this Fall, or early in the Spring, to build a small Fort for the Security of their Wives and Children, and they would remove from *Diahogo* to it some Time in *May* next.—*Teedyuscung* went from *Fort Allen* on the Seventeenth much pleased, though he left several of the *Indians* sick behind him.

With the said Letter the Secretary delivered a verbal Message from his Honour, desiring the House would take the Contents thereof into Consideration, together with some other Matters recommended to them in a late Message.

The House then resumed the Consideration of the Militia Bill, and having made some Progress therein, adjourned to Three o'Clock, *P. M.*

Mr. *James Read* attending, agreeable to the Request of the House, was called in, and asked sundry Questions respecting the Conduct of Colonel *Weiser*, and his Battalion; which having answered, so far as was consistent with his own Knowledge, and common Report, he withdrew.

The Petitioners from *Paxton* and *Derry Townships*, again attending, were called in, and acquainted the House, that the Governor had been pleased to appoint a Company of

Fifty Men, under the Command of Captain *Bussé*, to range from Fort *Hunter* to *Mannida Gap*, for their Protection, which in great Measure answered the Prayer of their Petition.— They then withdrew.

The House then went again upon the Militia Bill, and, after some Time spent therein, adjourned to Nine o'Clock To-morrow Morning.

August 27, 1757.

The House took up the Militia Bill again, and, after some Debates upon an additional Clause proposed to be admitted therein,

Ordered, That the said Clause be recommitted to the Committee who brought in the Bill.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

August 29, 1757.

The House met, pursuant to their Adjournment.

The Committee to whom the additional Clause in the Militia Bill was recommitted, reported, they had essayed an Amendment on the said Clause, which they delivered at the Table; and the same being twice read, and admitted into the Bill, the Whole was read the second time, and ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

August 30, 1757.

A Petition from the Commissioners and Assessors of the County of *Berks* was presented to the House and read, setting forth, that many of the Inhabitants of said County are so much impoverished by the Losses sustained, and Interruptions given to Business, through the *Indian* Ravages on that Part of the Frontier, that they are unable to pay their usual Assessments, and praying that such may be exempted therefrom at the Discretion of the Commissioners for said County.

The Petitioners being called in, were acquainted, that it is the Opinion of the House, that the Commissioners of the said County are vested with Power by the County Rate and Levy Act to consider the Circumstances of the People, and make such Abatements in their Taxes as appear to them requisite,

The House then proceeded to the third Point recommended in the Governor's Message, *viz.* An Improvement of our Alliance lately concluded with the *Indians*, and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Engagements entered into by the Governor with *Teedyuscung* at the late Treaty at *Easton*; and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

August 31, 1757.

Mr. Speaker brought into the House a Letter to him from Mr. *Charles Thompson*, Secretary to King *Teedyuscung*, together with a Copy of the Treaty lately held at *Easton*, delivered by the said *Thompson*, agreeable to the Request of *Teedyuscung*, that Mr. Speaker and the Assembly might transmit the same, with Copies of the Deeds, and other necessary Papers, to his Majesty, for his Royal Determination of the Disputes between the Proprietaries of this Province and the *Indians*, concerning the Purchases of Lands.

The said Letter being read, was ordered to lie on the Table, for the Perusal of the Members.

The House resumed the Consideration of the Governor's Speech of the Sixteenth Instant, relating to the Request of *Teedyuscung* in Behalf of the *Indians* at the late Treaty at *Easton*, and, after some Time spent therein,

Ordered, That Mr. *Walker* and Mr. *West* do wait upon the Governor with the following Message, *viz.*

"Under the third Head in your Honour's Speech of the Sixteenth Instant, you recommend to us "to make the best Improvement of the Alliance entered into with the *Indians* at the late Treaty at *Easton*, by enabling you to comply with the several Requests the *Indians* made of you at the said Treaty, the Particulars whereof we should see from the Minutes."

By those Minutes it appears, that *Teedyuscung*, among other Things, informed your Honour, that the *Indians* intended to settle at *Wyoming*; and requested to have certain Boundaries fixed between them and the People of this Province, and a certain Tract of Land fixed, which it should not be lawful for them or their Children ever to sell, or for the Proprietaries, or any of their Children, ever to buy: To which you were pleased to answer, that you had considered *Teedyuscung's* Request in Behalf of the *Indians*, about a Settlement for themselves and their Posterity at *Wyoming*; that you were

pleased they had made Choice of that Place; that it was perfectly agreeable to you; and you assured them you would heartily concur with him, in using all the Means in your Power to have those Lands settled on them and their Posterity, agreeable to *Teedyuscung's* Request.

This Request appears to us so reasonable and necessary for securing the Frontiers of this Province from the Inroads of the Enemy, by settling the *Indians* at *Wyoming*, that if your Honour has Power, as you have declared your Inclination, to have those Lands settled upon them and their Posterity, in the Manner they have proposed, we shall immediately prepare and offer you a Bill to be enacted into a Law for that Purpose."

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with a Message in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into immediate Consideration and give the House an Answer.

The House then resumed the Consideration of the Governor's Speech of the Sixteenth Instant, relating to the Request of *Teedyuscung*, in Behalf of the *Indians* at the late Treaty at *Easton*; and, after some Time spent therein.

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Masters*, Mr. *Gibbons*, Mr. *Webb*, Mr. *Denormandie*, Mr. *Allen*, Mr. *West* and Mr. *Yorke* be a Committee to prepare and bring in a Bill for establishing a Trade with the *Indians*, furnishing them with Corn for their Support, until they can raise it themselves; also to send Missionaries and Schoolmasters among them to instruct them in the *Christian* Religion, and their Children in Reading and Writing.

Then the House Adjourned to Ten O'Clock To-morrow Morning.

September 1, 1757.

A Petition from *Nicholas Scull*, Esq; of this City was presented to the House and read, praying Assistance towards publishing his general Map of the Province of *Pennsylvania*.

The House taking into Consideration the Usefulness and Expence of publishing the said Map,

Resolved, That the Sum of *Fifty Pounds* be allowed to the said *Scull* by this House, towards finishing and publishing the same.

The Bill for forming and regulating the Militia of this Province being transcribed, was read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. Roberdeau and Mr. Yorke wait upon the Governor, and deliver the same, for his Concurrence therewith.

Then the House adjourned to Three o'Clock, P. M.

The Members appointed to wait on the Governor with the Militia Bill, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into immediate Consideration.

The Governor, by the Secretary, sent down a verbal Message to the House, which was read, and is as follows, viz.

"IN Answer to your verbal Message, by two of your Members, *That if I had Power to have the Lands, requested by the Indians at the late Treaty, settled upon them and their Posterity, in the Manner they then proposed, you would immediately prepare and offer me a Bill to be enacted into a Law for that Purpose*; I am obliged to acquaint you, that I have no such Power, of which you must be perfectly satisfied by the Perusal of the Commissions of Government and Property, Copies of which are entered upon your Minutes.

"Being very sensible of the Expediency and many Advantages that will result to this Province by settling the *Indians* at *Wyoming*, and appropriating to them a sufficient Quantity of Land for Planting and Hunting, I assured the *Indians* at the late Treaty, that the Proprietaries had not purchased those Lands from the *Indians*, and in their Names disclaimed all *Indian* Right to the same. I shall write them by the first Opportunities, and desire, in the most pressing Manner, that they would not only send me Powers to confirm those Lands to the *Indians*, but that they would also solicit the *Six Nations*, who have the *Indian* Right, to join with me in such Confirmation, and in ascertaining such Boundaries as shall be agreeable to them, to which I have not the least Doubt they will readily consent."

The Serjeant at Arms having been ordered in the Forenoon to wait on *William Moore*, Esq; at his Lodgings in the City, and acquaint him, that the Petitioners against him being come to Town, agreeable to Appointment, would be heard and examined before the House this Afternoon, reported, he had been to the Lodgings of the said *Moore*, and was informed by his Daughter, that he was not in Town, but at *Onester*, attending the Court.

The Petitioners were then called in, and being qualified, were examined on their respective Petitions, with such Evidences as they could produce in Support of them.

Then the House Adjourned to Ten O'Clock To-morrow Morning.

September 2, 1757.

The House having spent some Time in examining several others of the Petitioners against *William Moore*, adjourned to Three o'Clock, P. M.

The Petitioners against *William Moore*, Esq; being examined, the House adjourned to Ten o'Clock To-morrow Morning.

September 3, 1757.

A Petition from the Inhabitants of *Hanover* and *Paxton* Townships was presented to the House and read, praying a Continuance of the Men under Messieurs *Read* and *Hendrick*, in the Pay of the Province, for their Protection, several late Murders having been committed by the Enemy in the said Townships.

A Petition from *Joseph King*, of this City, was presented and read, praying to be continued the Officer for inspecting and branding Flour exported from this Province.

The House then taking into Consideration the Minutes of Council, sent down by the Secretary, together with the late Conferences held at *Easton*, and the Governor's verbal Message; after some Time spent therein,

Ordered, That Mr. *Yorke* and Mr. *West* wait upon the Governor with the following verbal Message, viz.

"UPON considering the late Treaty at *Easton*, and the Minutes of Council of the 30th of *August* last, laid before us by your Honour, it gives us great Pleasure to find that the *Ohio Indians* are willing to join in the Peace concluded at *Easton*, and the *Shawanese*, *Mohiccons* and *Unamies* are desirous of settling on *Susquehannah*, and have requested your Honour, by their several Chiefs, to build a little Fort at *Wyoming*, for the Safety of their Wives and Children.

The securing an *Indian* Barrier to the Frontiers of this Province is of so much Importance to the Safety and Welfare of the People, that we are of Opinion, a Compliance with this Request should not be postponed a Moment longer than necessary: Therefore we earnestly entreat your Honour, with all Expedition, to proceed to build such a Place of Security as shall be agreeable to the *Indians*, and as many Houses as they shall stand in Need of, at the Place nominated by *Teedyuscung*, for their comfortable Living and Safety.

To enable your Honour to do this, we have recommended it to the Commissioners to defray the Expence thereof out of the *One Hundred Thousand Pounds* lately granted to his Majesty's Use.

The other Matters mentioned in your Honour's Speech, relative to *Indian Affairs*, we have now under our Consideration, and shall proceed to do every Thing in our Power to enable your Honour to comply with the reasonable Demands of the Natives, and to secure their Affections to his Majesty's Interest.

And that they further acquaint the Governor, that as the House are sincerely desirous to have the Matters mentioned in the said Message carried effectually, and without Loss of Time, into Execution, it will be very agreeably to them, in case public Affairs should not admit the Governor's superintending such a Work in Person, that one of the Provincial Commissioners, who, at the Request of the House, has generously offered his Service, might be vested with proper Powers for that Purpose."

Then the House adjourned to *Monday*, the 12th Instant, at Four o'Clock in the Afternoon.

September 12, 1757.

Mr. Speaker, with Nineteen of the Members, met, agreeable to Adjournment; but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

September 13, 1757.

Mr. Speaker, with Nineteen of the Members, met again, agreeable to Adjournment; but four being still wanting to make a Quorum, they adjourned to Four o'Clock, *P. M.*

Mr. Speaker, with the Members present in the Forenoon, met again, agreeably to their Adjournment; but the same Number being still wanting to make an House,

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* wait on the Governor, and acquaint him, that as a Number of Members sufficient to make an House is not come to Town, and some of them are known to be sick, and incapable of attending, if the Governor hath no Objection, they incline to adjourn to next *Monday*, to give Notice to their absent Members to attend the Service of the House.

The Gentlemen appointed to wait on the Governor, reported, they had delivered the Message according to Order; and that his Honour was pleased to say, he should be glad if the Members already met would adjourn to the Morning only, as he had Matters of Importance to lay before them, if there should then be a Quorum.

Then the House Adjourned to Ten O'Clock To-morrow Morning.

September 14, 1757.

The Members in Town met, agreeable to Adjournment; but a Quorum not yet appearing, they adjourned to *Monday*, the Nineteenth of this Instant, at Four o'Clock in the Afternoon.

September 19, 1757.

The House met, pursuant to their Adjournment.

The Gentlemen appointed to wait on the Governor with a verbal Message from the House of the Third of *September*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into Consideration. They then delivered their further Charge, relating to the Building of Houses for the *Indians* at *Wyoming*, and acquainted the Governor, that if public Affairs rendered it inconvenient for him to superintend that Work, one of the Commissioners had offered to do it, provided his Honour would vest him with proper Powers for that Purpose; after asking who was the Person, and being told it was Mr. *Hughes*, his Honour said, "it was very kind of Mr. *Hughes* to offer himself for that Service;" and was pleased to add, "that the Affairs of the Government of the Lower Counties in a short Time required his Presence at *New-Castle*, but he would take that also into Consideration."

Ordered, That Mr. *Owen* and Mr. *Walker* wait on the Governor, and acquaint him, that a Quorum of the Members being now met, they desire to know if his Honour hath any Business to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 20, 1757.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, the Secretary should wait on the House with a Message in the Morning.

The Governor sent down, by the Secretary, a written Message, dated the Twelfth of *September*, with a Letter from Captain *Orndt*, at Fort *Allen*, to *Timothy Horsefield*, Esq; Also a Letter from the said *Horsefield* to the Governor.

The Governor's Message being read, follows in these Words, *viz.*

GENTLEMEN,

'ON *Friday* last, in the Evening, an Express brought me a Letter from Justice *Horsefield*, dated the 8th Instant, in which was inclosed one wrote the Day before from the Commanding Officer at Fort *Allen*, informing him, that two *Indians* were arrived there in six Days from *Diahogo*, with Advice of their having met with five *Frenchmen* and five *French Indians*, who told them they expected to be joined by Twenty more *French Indians*, and would go to *Minisink*, and from thence to all the Forts on the Frontier, to spy them, and try to get Prisoners, that they might see and enquire which would be the most convenient Way to fall, with the *French*, on this Province.

'Mr. *Horsefield* acquaints me, that on this Letter being communicated to *Teedyuscung*, he gave it as his Advice, that this Government should immediately fix what Rewards they would allow for Scalps and Prisoners, and send him a Belt of black Wampum, with an Account of it. He added, that though he did not at the Treaty urge for a positive Answer to this Point, which he remembers to have been then mentioned by him, yet now he saw a Necessity for it, and hoped I would dispatch the Messenger with it.

'The Provincial Commissioners, at my Instance, met early on *Saturday* Morning, and on laying the Letters before them, referred me to one of theirs, wrote upon the Subject at *Easton*, and though I then concurred with them in Opinion, that it was not expedient at that Time to promise any Rewards for Scalps, yet as the *French Indians* are now renewing their Ravages on the Frontiers, and our Friendly *Indians* do not incline to act even defensively for us, without fixing the Rewards for Scalps, I think the Cruelty of our Enemies, and the pressing Necessity of the present Occasion, loudly demand a Compliance with their Request. I need not observe to you of what Importance it is to this Province to secure the Friendship of the *Indians*, and engage them heartily to join us in opposing the Designs of the Enemy; and as it is not reasonable to expect that this can be done without making them ample Satisfaction for their Services, I most earnestly recommend it to you to take this Matter into your serious Consideration, and enable me immediately to return a satisfactory Answer to the *Indian* Chief, at *Bethlehem*, by the Express, who is detained by me for that Purpose. -

September 12, 1757.

WILLIAM DENNY."

The Governor likewise sent down, by the Secretary, another Message, which was read, and is as follows, *viz.*

GENTLEMEN,

'YOU well know, that at the earnest Request of the *Indians*, Promises have been made them on the Part of the Government, that a Trading-house should be established at Fort *Augusta*, within this Province, well furnished with a suitable Assortment of Goods, where they might vend their Skins and Peltry, and be reasonably supplied with such Necessaries as they might want.—Yo will see by the Letters herewith sent you, that Thirty *Delaware Indians* lately came down to the Fort, in Consequence of these Promises, with Skins, in order to trade with us, but finding no Goods there, some of them are gone away very much dissatisfied. As therefore it is not in my Power to take any Steps in this Matter, which is a very important and interesting one to the People of this Province, without your Aid and Assistance, I must earnestly recommend it to you, without Loss of Time, to prepare a Bill for regulating the *Indian Trade*, and enable me to keep the Public Faith with them.

September 19, 1757.

WILLIAM DENNY."

With the above Message from the Governor the Secretary delivered the following Papers, *viz.*

1. A Letter from Major Burd; dated at Fort *Augusta*, the Eighth of this Instant.
2. A Letter from Captain Thomas M'Key; dated at Lancaster, the Thirteenth of this Instant.
3. A Letter from Lieutenant Hyndshaw; dated at *Smithfield*, the Ninth Instant.
4. A Petition to the Governor from the Artificers' and Shipwrights, taken Prisoners at *Oswego*, praying his Honour would recommend to the House to advance them a Sum of Money to supply their present Necessities, and promising thankfully to repay the same, when they shall receive from the Crown the Wages due for their Services.

At the same Time the Secretary returned the Bill for forming and regulating the Militia of this Province, with the Governor's Amendments thereon, which being read, and considered, the Question was put, Whether the House adhere to their Bill? and the same was unanimously

Resolved in the Affirmative.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Denormandie* and Mr. *Morton* be a Committee to prepare an Answer to the Governor's Speech at the Beginning of this Session.

The Members appointed to prepare and bring in a Bill for regulating the *Indian Trade*, reported, they had essayed a Draught for that Purpose, which they delivered in, and the same being read, was ordered to lie on the Table for the Perusal of the Members.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for regulating the *Indian Trade*, which was read the second time; and, after some Amendments thereon, ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 21, 1757.

The Committee appointed to bring in a Supplement to the Act, entituled, *An Act for binding out and settling such of the Inhabitants of Nova Scotia as are under Age, &c.* reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for the Perusal of the Members.

Ordered, That Mr. *Baynton*, Mr. *Hughes*, Mr. *Masters*, Mr. *Gibbons*, Mr. *Webb*, Mr. *West* and Mr. *Yorke* be a Committee for inspecting and settling the Accounts of incidental Charges for the current Year.

A Bill to enable *Richard Hill* and *Samuel Preston Moore* to make legal Titles to certain Lots and Lands in this City and Province, sold and leased by *Richard Hill*, junior, Son and Brother-in-Law to the Petitioners, was brought in by Leave of the House, and read the first time.

A Letter from *John Smith*, Esq; of *Cumberland County*, with an Account for certain Services done the Province, being presented to the House, read and considered, the said Account was referred to the Committee of Accounts.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for regulating the *Indian Trade* being transcribed, was read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Hunt* and Mr. *Grubb* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 22, 1757.

The Members appointed to wait on the Governor with the Bill for regulating the *Indian Trade*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he was glad the House had been so expeditious in presenting him with a Bill of such Importance, which he would immediately take into Consideration, and give it all the Dispatch in his Power.

The Supplement to the Act for binding out and settling such of the Inhabitants of *Nova Scotia* as are under Age, &c. being read the second time, was ordered to be transcribed for a third Reading.

The Committee appointed to bring in a Supplement to the Laws in Force for repairing and regulating the Highways within this Province, reported, they had prepared a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered to lie on the Table for the Perusal of the Members.

The Bill to enable *Richard Hill*, and *Samuel Preston Moore* and *Hannah*, his Wife, to comply with, ratify and confirm, certain Agreements, &c. being read the second time, was ordered to be transcribed.

Ordered, That *Mr. Leech*, *Mr. Galloway* and *Mr. Masters* be a Committee to inspect the Flour Act, and report to the House at what Time the said Act expires.

The Bill, entituled, *A Supplement to the Act*, entituled, *An Act for binding out and settling such of the Inhabitants of Nova Scotia, imported into this Province, as are under Age*, &c. being transcribed, was read the third time.

Resolved, That the said Bill do pass.

Ordered, That *Mr. Hughes* and *Mr. Baynton* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Supplement to the Act, entituled, *An Act for binding out and settling such of the Inhabitants of Nova Scotia, imported into this Province, as are under Age*, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it immediately into Consideration.

The Committee appointed to inspect the Flour Act, made

their Report in Writing, which was read, and follows in these Words, *viz.*

IN Obedience to the Order of the House, we have examined the Laws relating to the Exportation of Flour, and find, that at a Sessions of Assembly, held in the Year 1733, a Law was passed to prevent the Exportation of Flour not merchantable, which Law is without Limitation of Time; that afterwards, in the Nineteenth Year of his present Majesty, a Supplementary Act was made, which continued for four Years, and from thence to the End of the next Sessions of Assembly; that on the Eighteenth Day of *August*, in the Year 1750, and before the Expiration of the said Supplementary Act, another Supplementary Act was passed, which continued the said first Supplementary Law for seven Years from the Publication thereof, and from thence to the End of the next Sessions of Assembly; and that this present Sitting of Assembly began on the Eighth of *August* last. Upon this State of the Facts respecting the Flour Acts, your Committee conceive, that all the said Laws are yet, and will remain, in Force, until the next Sessions of Assembly; and that the further Consideration of the said Laws may be postponed to the next Sessions, without any great Inconveniency to the Public.—

Submitted to the House, by

THOMAS LEECH,

JOSEPH GALLOWAY.”

WILLIAM MASTERS,

The House, upon Consideration of the foregoing Report,
Resolved, That they are of Opinion the Flour Act continues in Force to the next Sitting of Assembly.

The Bill for enabling *Richard Hill*, and *Samuel Preston Moore* and *Hannah*, his Wife, to comply with, establish, ratify and confirm, certain Agreements, &c. being transcribed, was read the third time.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Walker* and Mr. *Blackledge* wait on the Governor therewith, for his Assent to the same.

The Memorial of *William Moore*, Esq; was presented to the House and read.

Then the House adjourned to Ten o’Clock To-morrow Morning.

September 23, 1757.

The Members appointed to wait on the Governor with the Bill for enabling *Richard Hill*, and *Samuel Preston Moore* and *Hannah*, his Wife, to comply with, establish, ratify and confirm, certain Agreements, &c. reported, they had delivered

the same according to Order; and that his Honour was pleased to say, he would take it into immediate Consideration.

A Petition from the Grand-Jury of the Court of Quarter-Sessions was presented to the House and read, praying they would be pleased to revise and reconsider the Laws relating to the Amending of High-ways, and make such Additions thereto as may render the same effectual for the good Purposes intended.

Ordered, That *William Parsons*, Esq; have Notice to attend the House at Five o'Clock in the Afternoon.

The House taking into Consideration the Circumstances of the Trade of this Province, and the late Act of Parliament, entituled, *An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon, and other Victual (except Fish, Roots and Rice, to be exported to any Part of Europe, Southward of Cape-Finisterre) from his Majesty's Plantations in America, unless to Great-Britain or Ireland, or to some of the said Colonies and Plantations, &c.* and observing that his Majesty, by a Proviso in the said Act, is empowered by his Royal Proclamation or Proclamations, by and with the Advice of his Privy Council, or by his Majesty's Order in Council, from Time to Time, to permit and suffer his Majesty's Subjects to export and carry out of all or any of the said Colonies, all or any of the said Commodities; and being convinced, that the Restrictions in the said Act, confining our Trade with Provisions to *Great-Britain and Ireland*, and his Majesty's Colonies in *America*, will prove greatly detrimental, as well to the trading Part of the People here, as to the Merchants in *Great-Britain*.

Resolved, That the Committee of Correspondence do give the Agents in *Great-Britain* Instructions to address his Majesty in Behalf of this Province, beseeching him, that he would be graciously pleased, by his Royal Proclamation, to take off the Prohibitions in the said Act contained, so far as they relate to the Trade of this Colony with the Island of *Madeira*, and other *European Neutral Ports*.

Mr. Charles Thompson, Secretary to *Teedyuscung*, King of the *Delawares*, at the late Treaty at *Easton*, having, agreeable to the public Request of the said *Indian King*, delivered a Copy of the Minutes of that Treaty, addressed to *Isaac Norris*, Esq; Speaker of Assembly, by a Letter from the said *Thompson*, prefixed to the said Minutes, the same were laid before the House, and being read, were ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Clerk having been ordered to give Notice to *William Parsons, Esq*; to attend the House this Afternoon, reported, that on Enquiry for the said *Parsons* at his Lodgings, he was informed, he had been gone out of Town, some Days, to *Amboy*, for the Recovery of his Health, and was not expected to return again to *Philadelphia*.

The Governor returned to the House, by the Secretary, the Bill, entituled, *An Act to enable Richard Hill, and Samuel Preston Moore and Hannah, his Wife, to comply with, establish, ratify and confirm, certain Agreements, &c.* Also the Bill, entituled, *A Supplement to the Act for binding out and settling such of the Inhabitants of Nova-Scotia, imported into this Province, as are under Age, &c.* with a verbal Message, that his Honour agreed to the said Bills, and would enact the same into Laws, whenever presented to him for that Purpose.

At the same Time the Secretary returned the Bill, entituled, *An Act for preventing Abuses in the Indian Trade, &c.* with the Governor's Amendments thereon, which were read, and ordered to lie on the Table, for the Perusal of the Members.

Ordered, That the two Bills, to which the Governor hath given his Assent, be engrossed.

The Secretary likewise delivered at the Table a written Message from the Governor, with a Copy of some Resolutions of the House of Commons of *May 23, 1757*, upon certain Resolutions of the Assembly of the Island of *Jamaica*, of the Twenty-ninth of *October, 1753*; also a Letter from *John Pownal*, Secretary of the Lords of Trade, dated *June 3, 1757*, *Whitehall*, to Governor *Denny*.

His Honour's Message was read, and is as follows:

GENTLEMEN,

'IN Consequence of Directions I have received from the Lords Commissioners for Trade and Plantations, I lay before you a Copy of Resolutions of the House of Commons, of the Twenty-third of *May, 1757*, upon certain Resolutions of the Assembly of the Island of *Jamaica*, of the Twenty-ninth of *October, 1753*, with the Letter on that Occasion.

September 23, 1757.

WILLIAM DENNY."

The House resuming the Consideration of the last Election of a Member for the County of *Northampton*, and having spent some Time therein, the Question was put, Whether the said Election for that County be a legal Election? and the same was, by a great Majority of the Members,

Resolved in the Negative.

Then the House adjourned to Nine o'Clock To-morrow Morning.

September 24, 1757.

The House resumed the Consideration of the Petitions against *William Moore*, Esq; of *Chester County*; and, after some Time spent therein, adjourned to next *Monday*, at Four o'Clock in the Afternoon.

September 26, 1757.

The House met, pursuant to their Adjournment.

The two Bills, to which the Governor gave his Assent last Week, being engrossed, were compared at the Table with their Originals.

The House took into Consideration the Governor's Amendments on the Bill for preventing Abuses in the *Indian Trade*, &c. and the Question being put, Whether the House adhere to their Bill; the same was unanimously

Resolved in the Affirmative.

Ordered, That *Mr. Hughes*, *Mr. Baynton*, *Mr. Pearne*, *Mr. Gibbons*, *Mr. Webb*, *Mr. West* and *Mr. Yorke* be added to the Committee appointed to prepare an Answer to the Governor's Speech, and that the said Committee bring in the said Answer by Ten o'Clock To-morrow Morning.

Ordered, That *Mr. Roberdeau* and *Mr. Baynton* wait on the Governor, and acquaint him, that the two Bills, to which he was pleased to give his Assent last Week, being engrossed, the House desire to know when they shall wait on his Honour to see the same enacted into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 27, 1757.

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would attend in the Council Chamber precisely at One o'Clock To-morrow, to enact the two Bills, to which he lately gave his Assent, into Laws.

Ordered, That *Mr. Pearne* and *Mr. Baynton*, meet the Members of Council, to compare the engrossed Copies of the said two Bills with their Originals, see the Great Seal affixed thereto, and the same deposited in the Rolls Office.

The Gentlemen appointed to join the Members of Council in comparing the said Bills, reported, they had done the same and found them to agree.

A Message from the Governor by the Secretary :

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber, immediately."

Then Mr. Speaker and the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on his Honour, with two Bills, one entituled, *A Supplement to the Act, entituled, An Act for binding out and settling such of the Inhabitants of Nova Scotia, imported into this Province, as are under Age, and for maintaining the Aged, Sick and Maimed, at the Charge of the Province*; the other entituled, *An Act to enable Richard Hill, and Samuel Preston Moore and Hannah, his Wife, to comply with, establish, ratify and confirm, certain Agreements, made between the said Samuel Preston Moore and Richard Hill, late of the City of Philadelphia, jointly, of the one Part, and divers other Persons of the other Part; and also between the said Richard Hill, deceased, separately, of the one Part, and divers Persons of the other Part, which were entered into by them in the Life-time of the said Richard Hill, deceased, some of whose Heirs and Devisees are under Age*. Both which Bills the Governor was pleased to give his Assent to, by enacting the same into Laws.

Then the House adjourned to Three o'Clock, P. M.

The House resuming the Consideration of the Petitions presented to them against *William Moore, Esq; of Chester County*, and the Evidence produced in Support of them,

Resolved, That it is the Opinion of this House, that the said *William Moore* hath greatly misbehaved himself in his Office of a Justice of the Peace, and that he has been guilty of sundry arbitrary, extortionate and fraudulent Practices, in manifest Violation of his Duty, and to the great Oppression of the People.

Resolved, That an Address be drawn up and presented to the Governor, requesting him to remove the said *William Moore* from the Office of Judge of the Court of Common-Pleas, and Justice of the Peace, and from all other public Offices, Posts and Employments whatsoever, if such other he holds and enjoys.

Ordered, That *Mr. Leech, Mr. Galloway, Mr. Gibbons and Mr. Yorke* be a Committee to prepare an Address to the Governor, for the Purposes mentioned in the foregoing Resolve.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 28, 1757.

The Committee appointed to bring in an Answer to the Governor's Speech, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was agreed to, and ordered to be transcribed.

The Committee appointed to draw up an Address to the Governor, for the Removal of *William Moore*, Esq; from his public Offices, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The House taking into Consideration the Governor's Amendments on the Bill for preventing Abuses in the *Indian Trade*, &c. agreed to some of the said Amendments, and in others adhered to their Bill.

The Answer to the Governor's Speech, and the Address for the Removal of *William Moore*, Esq; from his Offices, being transcribed, were signed by the Speaker, and follow in these Words, *viz.*

May it please your Honour,

HAVING, by our Message of the Eighteenth of *August* last answered that Part of your Speech relating to the Succour of the City and Province of *New-York*, and complied with every Thing you requested of us on that Occasion; permit us to take under our Consideration the Remainder of it, and make such Remarks thereon, as a Regard for the Rights of the People and our bleeding Country obliges us to do.

There was a Time when your Honour was pleased to declare, that "the Protection of the Province, and the Supporting the People in the Enjoyment of their Civil and Religious Rights, was what your Duty as well as Inclination would lead you to," but we are sorry to find that Time but of a short Duration. More Pains seem now to be taken to destroy than "support" our Rights; to persuade the World to believe that we are unwilling to defend the Province, than defend it, or to unite in Measures for that Purpose; and that we have "set Danger at a Distance, and presumed to treat the Accounts thereof as the Tales of a Day," than to guard against and protect us from that Danger. 'Tis true, so little Care has been taken to gain Intelligence of the Enemy's Motions and Designs, that our Accounts thereof are generally so confused, no one can depend on them, and but few of them hitherto have proved to be true: Whether they were "invented or exaggerated through Party Views," we cannot determine, nor did we ever charge them to be so; the first

Hint thereof comes from the Governor, and it is more than probable he may know it to be true. But we cannot help saying, this Insinuation, so artfully made against us, is without the least Foundation, and as unkind as it is unjust: And that had your Honour the same Sense of the Danger you can so well describe, and the same Motives and Inclinations to defend the Province, and protect our "Civil and Religious Rights," as we have, they must have prevailed on you to pass one among many of the reasonable and necessary Bills that have been presented to you for those Purposes; nor would you have had Occasion so repeatedly to call on us for the framing of Bills, at a great Expence to the People, which neither your Duty or Inclination, if we may judge from your Actions, could prevail on you to enact into Laws.

No one, unacquainted with the Transactions between us, upon Perusal of your Speech, would suspect that we had ever offered for your Assent reasonable Bills for the Defence of the Province, or that you were by any Means concerned in preventing us from being "put into a Posture to defend ourselves, or assist our Neighbours," but that the whole Blame was justly imputable to the Assembly. Weak and prejudiced Men may be deceived by specious Insinuations, but it should be remembered, that they are not, with the Candid and Unprejudiced, sufficient to invalidate notorious and incontestable Facts. This Assembly have done every Thing they on their Parts could do, consistent with the Rights and Privileges of the People. In the early Part of our Session we *prepared* a Bill for granting *One Hundred Thousand Pounds* to the King's Use, which you rejected: Another was immediately offered, which would have met with the same Fate, had not a Regard for Justice, his Majesty's Interest, and the Welfare of the People, prevailed on a worthy Nobleman to interpose. Great Part of the said Sum is already expended, in paying the Troops under your Honour's Command, and yet, what Service has been done by those Troops? What Protection has the Province received from them? Have they relieved the Frontier Inhabitants from the insupportable Burdens of keeping Watch Night and Day at their own Expence? Or has a single *Indian* been killed or taken Prisoner by them, though our Enemies have been continually committing Depredations on the Frontiers, and constantly murdering the People? The Law expressly directs, that Eleven Hundred of the Troops should be employed in making Incursions into the Enemy's Country, to watch their Motions, gain Intelligence, and communicate their Designs in Time to the Inhabitants, that they

might be prepared against them. But this essential Part of the Law, and our Defence, has been altogether neglected: These are Facts "too flagrant, and too fatally felt" by our unhappy Frontiers, to require Proof. The Fault must lie somewhere; it cannot be justly charged to us; we have granted a sufficient Number of Men to protect the Province, and Supplies to support them, and more than the People are able to bear another Year.—This is all we had a Right to do, or could do, the rest was the Duty of the Governor. From a View of these Facts it will readily appear who it is that neglects the Protection of the Province, or has failed on their Parts to put it into a Posture of Defence.

Your Honour is pleased again to call on us for an "equitable and constitutional Militia Law;" this we apprehend we have more than once complied with. At our first Sessions we prepared a Bill equitable in all its Parts, adapted to the Genius of the People, and to preserve the Constitution of the Government. At our next Adjournment, having taken in many of your Amendments, we sent you up a second; and since our present Sitting, more of your Amendments being agreed to, we presented you with a third, enabling you not only to defend the Province, but to assist our Neighbours in Times of Distress and Invasion: But all these Bills you were pleased to reject as unequal and unconstitutional. What the Governor means by an "equitable and constitutional Militia Law," we may readily perceive by his Amendments; a Law that will oblige the Inhabitants to take a Test as to their religious and conscientious Scruples. If this be equitable and constitutional, it is the Equity and Constitution of *Portugal*, or some other *Popish* Countries, where the Inquisition is in Use, and not of any free Government, where the People enjoy their religious Liberties. That it is not constitutional in the Opinion of the Crown and a *British* Parliament, is evident, they having made a Law exempting the *Moravians*, or Congregations of the *Unitas Fratrum*, in *America*, from Military Duties, without such Test; nor is there an Instance thereof in any of the Militia Bills that have been framed or enacted by our Mother Constitution. But we are sorry to find the Example of our gracious Sovereign, and his Parliaments, is no Rule to the Governor; nor does he seem to think the People of this Province entitled to the Rights of *Englishmen* and Freemen.

Another Thing which in your Opinion would tend to make the Bill "constitutional," is, to give the Governor the absolute Nomination of all the Military Officers, without being recommended by the People, to oblige the whole Freemen

of the Community to enlist under them, and to subject them to all the Penalties of a Court-martial, which your Honour would appoint. Whence it is that the Governor receives his Ideas of our Constitution, we are at a Loss to determine, but fear it is from those who are either Ignorant of its Laws, or wicked enough to be an Enemy to it. It is the distinguishing Privilege of *Englishmen*, that they cannot be condemned in their Persons or Properties, but by a Jury of their Country. To subject the People to the Judgment of a Court-martial, and such Fines, Penalties and corporal or capital Punishments as shall be thereby inflicted, is directly inconsistent with this Privilege, and what Freemen will never assent to, were the Powers of Government exercised with ever so much Justice and Lenity; but when all Confidence is lost between the Governor and Governed; when Schemes are pursuing, in this Time of extreme Distress, by a few particular Persons, to enslave the whole Community; and when these Schemes meet with the Countenance of those whose Duty it is to preserve our Rights, we never can consent to such an Amendment in a general Militia Bill. This would be giving up the Persons and Properties of our Constituents to the absolute Power of a Party, out of which, we have no room to doubt, the Officers will be chosen, whenever the Governor shall be vested with the sole Appointment of them.

The Charge against us, of "endeavouring to take the Appointment of the Officers out of the Hands of the Government," is too general; and seems calculated rather to serve a particular Purpose, than to convey a true State of the Matter. That by the Bill a Number of Persons was to be elected to each Office, and recommended to the Governor by the Voice of the People, out of which he was to chuse and commissionate the Militia Officers, is true; but this is so far from "taking the Appointment out of the Hands of the Government, that the Governor would have the Choice of several, and might appoint which of them he pleased. This we thought, and still think, reasonable; especially as your Honour is a Stranger among us, and cannot know who is proper, and who not, for those important Places, unless you take your Information from a Party, who have ever consulted their private Views, and the Interest of their Friends, more than the Public Welfare. These are Motives which the People collectedly cannot have; and therefore we apprehend it will more effectually answer the End of a Militia Law, to permit the People to recommend their own Officers, under whom they are willing to serve, as it is natural to presume

they will fix on Men of Integrity and public Spirit, on whose Courage and Resolution they can depend for the Protection of the Country, and the Preservation of their Civil and Religious Liberties.

But, however reasonable this may be, it does not suit with the avowed Designs of a Party, which they have been weak and wicked enough to publish to the World in their *Brief State*. The Plan the Governor recommends to us, is the Plan they wish for. They declare, they expect it will "alter the Face of Affairs, by creating a vast Number of new Relations, Dependencies and Subordinations in Government: The Militia will vote for Members of Assembly, and being dependent on their Officers, would probably be influenced by them;" and the Officers being recommended by the Proprietary Creatures, and commissioned by their Deputy, would be directed by them, and thus our Proprietaries would be vested with the Appointment of both the Branches of Legislature. Under this extensive Influence, added to that which ever will attend the immense Property of the Proprietaries, can any Liberty, that the People are intitled to, be safe? The Freedom of Elections and of Parliament will be violated and destroyed. The Balance of Power between the Governor and People, so wisely established by the Royal and Proprietary Charters, and Laws of the Province, will be totally subverted, and our present Constitution be transformed into a Government the most despotic and arbitrary. Proprietary Instructions, calculated to promote their private Interest and Views, and to oppress the People, will have the Sanction of Edicts, not to be disobeyed. Supply Bills will stand in no Need of Amendments, as they will be framed agreeable to such Instructions. Our Assemblies will not presume to tax the Proprietary's enormous Estate in common with the rest of his Majesty's Subjects for the Defense of their Colony; but they will make all their Laws by Direction, and become as insignificant in the Constitution as the Parliament of France, who have only the Power of assenting to, and registering, their Tyrant's Edicts.

The Governor is pleased next to recommend to us, "to make the best Improvement of our Alliance entered into with the Indians at the late Treaty at Easton, by enabling him to comply with the several Requests they made of him at the said Treaty." We concur with you in thinking "these Things are of great and immediate Consequence to the Preservation of our Lives and Properties at this Juncture." And we further know them to be of the utmost Importance

to the general Safety of the Colonies, and his Majesty's Interest: And therefore, with all Expedition, we presented a Bill every Way calculated for these good Ends. But we cannot help saying, that the Governor's Words and his Actions do not seem to correspond.—The unreasonable Amendments he has sent down to the Bill, convince us he had no Design of passing it, as he could not expect we could be so insensible of the People's Rights as to agree to them. In that Bill we nominated Commissioners, whose Integrity we have experienced, to serve the Country, and gave the Governor, for the Time being, a Negative on the Disposition of the Sum that was to be put into their Hands to carry on the *Indian* Trade. But we find nothing less than the Nomination of the Commissioners and Agents will satisfy the Governor, or rather those with whom he advises. Should we consent to these Amendments, the Negative in the Bill would be useless, as there can be no Doubt but the Persons who could be so lost to their own Rights as to accept of the Office from the Governor's Nomination, would implicitly obey his Directions.

Our Duty obliges us to declare and protest against this Amendment, as an Infringement on the Rights of this House; and that the Nomination of the Commissioners in Bills of this Nature, is the settled Right of the House of Commons, whose Powers we have as *Englishmen*, and by our Charters, which we hope the Governor will not, upon further Consideration, attempt to violate. Nothing is of greater Importance to the Government, than the Supporting the just and distinct Rights and Privileges of the Legislature; and as to our own, we assure the Governor we are resolved never to give them up, while the People entrust us with them.

Permit us therefore to persuade the Governor to resume the Consideration of this necessary and important Bill:—Reflect on its Importance to the Preservation of this Province, his Majesty's Colonies, and the *British* Interest in *America*. It is a Bill, which, if enacted into a Law, and well executed, will secure to us an effectual Barrier against our Enemies, and rescue our Fellow-Subjects from the barbarous Depredations of the Savages, and relieve them in a great Measure from their present almost insupportable Burden of Taxes. And a Bill, which, in its necessary Consequences, must procure to the *English* Interest the Friendship and Alliance of the most distant *Indian* Nations. And if the solemn Promises you made the *Indians* at the Treaties of *Lancaster* and *Easton*, the Good of this particular Province, the bleeding Circumstances of our

Frontiers, the miserable Subjection of our captivated Inhabitants, have no Weight with your Honour, let the Good of the Colonies in general, and your Duty to preserve the Interest of the Crown, plead the important Cause of this Bill. We intreat you no longer to look on yourself "as a Passenger" only in the Province, as you have been pleased more than once to express yourself on Matters of a public Nature. Consider yourself as intimately concerned in the Welfare of the Province, bound in Duty to defend the King's Colony, and obliged to co-operate with us in every Thing that may tend to protect it, and preserve the People's Liberties. Let not arbitrary Proprietary Instructions be the sole Rule of your Conduct; exercise your own Judgment and Reason in your public Acts; pay less Regard to the Advice of the Proprietary Council, who have no Powers of Legislation, nor Right to direct or dicte to a Governor in any Matter whatever. Let his Majesty's Interest, and the Good of his Subjects, be the grand Objects of your Government, and restore Peace, Liberty and public Virtue to the Province, for it is in a great Measure in your power. Do these Things, and your Government will be easy and pleasant, your Life happy, and you will rejoice in the Prayers, Love and Esteem of a free and grateful People.

Permit us to add, before we conclude, that we can have no Views but the Good of the Province. We cannot consider ourselves "as Passengers" therein, as too many of our Governors have done. Our Fortunes, Friends, and the nearest and tenderest connections are in it, and inseparable from it; and should the Country be sacrificed to the private Views of particular Men, who have siezed this Time of Distress to invade our Rights, we fall the melancholy Victims. This Consideration certainly must convince every impartial Man, that we can have no Motive but the Good of the People, and the Preservation of our Country; and that its Distress, and present defenceless State, has not been occasioned by a Want of the most earnest Endeavours on our Parts to put it into a Posture of Defence. But, should our Constituents think otherwise, the Day of our anniversary Election is at hand, and we shall soon again mix with the People; and if our late Conduct has been inconsistent with their Sentiments, they will no Doubt supply our Places with such as they conceive will accede to your Honours's Measures, and give up those Rights which we have thought, and ever shall think, it our indispensable Duty to support and maintain. But whether you meet us again, or other Persons in Legislation, we sincerely with greater Harmony in Sentiments may subsist, and more Good be done the Country than

we have been able, during this Session, to effectuate with all our Endeavours.

Signed by Order of the House,
September 28, 1757. ISAAC NORRIS, Speaker."

To the Honourable WILLIAM DENNY, Esq; Lieutenant Governor of the Province of Pennsylvania, &c.

The ADDRESS of the Representatives of the Freemen of the said Province.

May it please your HONOUR,

WE, the Representatives of the Freeman of the Province of *Pennsylvania*, in General Assembly met, having received many Complaints against *William Moore*, Esq; one of the Justices of the Peace for the County of *Chester*, charging him with divers Misdemeanors, fraudulent and extortionate Practices in his said public Office; and having summoned the said *William Moore*, Esq; to be present, and make his Defence, and shew the Falshood of those Charges, if any Proof or Evidence of such Falshood he had to produce, which said Summons he neglected to obey; and having heard the evidence concerning said Charges and Complaints, and being thereupon fully satisfied and convinced, that the said *William Moore*, Esq; regardless of the impartial and just Discharge of his Duty in the said Office, and wickedly and corruptly, through an avaricious Disposition, and designedly to oppress and distress the poor Inhabitants of the said County, hath greatly misbehaved himself in his said Office, by taking double and extortionate Fees of many of his Majesty's poor liege Subjects in the said County; by taking and extorting Fees where no Process ever issued, or Services were done, under Colour of his said Office; by encouraging the bringing a great Number of petty Suits against the poorer Sort of People, and by many other fraudulent, corrupt and wicked Practices, to the great Scandal of Justice, Derogation of the Laws, and grievous Distress of his Majesty's said Subjects: Which said Practices we humbly conceive to be illegal and arbitrary, contrary to the duty of a Justice of Peace, and excessively oppressive and grievous to his Majesty's faithful and liege Subjects. Wherefore we do entreat your Honour to remove the said *William Moore* from the Offices of Judge of the Court of Common Pleas and Justice of the Peace, and from all other public Offices, Posts and Employments whatsoever under his Majesty within this Government.

Signed by Order of the House,
September 28, 1757. ISAAC NORRIS, Speaker."

Such of the Governor's Amendments, on the *Indian Trade Bill*, as the House agree to admit into the said Bill, being also transcribed,

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait upon the Governor with the foregoing Answer and Address, and deliver the Bill for preventing Abuses in the *Indian Trade*, &c. with such of his Honour's Amendments thereon as the House accede to, and request the Governor will be pleased to pass the said Bill, as it is now returned to him, into a Law.

The Account Current of Messieurs *Reese Meredith*, *John Mifflin* and *Samuel Smith*, Commissioners, appointed by Assembly to dispose of *Ten Thousand Pounds*, given by this Government to the Colony of *New-England*, was presented to the House, read, and referred to the Committee of Accounts to examine, and report thereon to the House.

Then the House adjourned to Two o'Clock To-morrow Afternoon.

September 29, 1757.

The Members appointed to wait on the Governor with the Message and Address of Yesterday, and to return the *Indian Trade Bill*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would again take the said Bill into Consideration, and acquaint the House with his Result thereon.

The Committee appointed to inspect the Minutes of Council, concerning Proprietary Purchases of Lands from the *Indians*, made their Report in Writing, which was read, and is as follows, *viz.*

IN Obedience to the Order of the House we made Application to *Richard Peters*, Esq; Clerk of the Council, and requested, that he would permit us to inspect the Minutes of Council, and furnish us with fair Transcripts of such Minutes as related to *Indian Affairs*; but he informing us, that he could not grant our Request without consulting the Governor, and receiving the said Request in Writing, we wrote him the following Letter:

SIR,

THE Application of the Committee of Assembly to you Yesterday, was made in Pursuance of an Order of the House, which was to inspect the Minutes of Council, respecting *Indian Purchases*. They are desirous of seeing and having fair Transcripts of all the Minutes that relate to the Purchase made by *William Penn*, about the Year 1700, of the Lands on *Tohiccon*,

Neshaminy, the Lehigh, and the Forks of Delaware, or any of them: The Minutes relating to the confirmatory Purchase of the same Lands in 1737: The Minutes relating to the Purchase of the Lands on Brandywine: The Minutes relating to the Purchase of the Juniata and Conedaguinet Lands; and those relating to the Purchase made at Albany. We are,

Sir, your humble Servants,

JOSEPH FOX,	WILLIAM MASTERS,
THOMAS LEECH,	WILLIAM WEST,
JOSEPH GALLOWAY,	THOMAS YORKE."

And the next Day we received for Answer the following Letter from the Secretary, *viz.*

GENTLEMEN,

I HAVE laid before his Honour the Governor your Application for an Inspection and fair Transcripts of the Minutes of Council, respecting the several *Indian* Purchases mentioned in your Letter of this Date. In Answer to which his Honour has ordered me to let you know, *That he will not permit you to inspect the Council Books:* That he is now too much engaged in public Business, and in preparing for his Journey to *Easton*, to admit of Time for my searching the Council Books for the Minutes you apply for; but that on his Return he will take Care you shall be furnished with fair Transcripts of them.

This he presumes will not be attended with any Inconvenience to you as a Committee of Assembly, as the House does not meet by their Adjournment till the Eighth Day of *August* next. I am,

Philadelphia, Gentlemen, your most humble Servant,
July 13, 1757. RICHARD PETERS."

Since which, we have never heard from, or received any of the said Minutes, either from his Honour the Governor, or the said Clerk.—*Submitted to the Consideration of the House,*
by

JOSEPH FOX,	WILLIAM MASTERS,
THOMAS LEECH,	WILLIAM WEST,
JOSEPH GALLOWAY,	THOMAS YORKE."

The Committee of Accounts reported on the Account Current of Messieurs *Meredith, Mifflin and Smith*, as stated below, that they are of Opinion the Balance of *Sixteen Pounds Three Shillings* and a *Halfpenny* ought to be paid, and that the said Gentlemen be directed to prosecute an Action against the Estate of *Robert Rawlinson*, deceased; for the Sum of *Twenty-seven Pounds*, charged on the Debit Side of the said Account.

Province of Pennsylvania, in Account with Reese Meredith, John Mifflin and others, Commissioners, appointed by Vote of Assembly to lay out Ten Thousand Pounds, for the Use of the Army, under the Command of General Shirley.

Dr.

TO sundry Goods shipped to New-York, con-
signed to William Alexander, and Lewis Morris,
junior, as per List, amounting to — — — — — £9,169 12 11½

To Cash paid William Alexander,
and Lewis Morris, for 2,849¼

Bushels of Pease, — — — — — £675 5 3

To Ditto, for Freight of the
above Goods they sent to Albany, — £235 3 1

To Cash paid Charges on — — — — — £910 8 4
Goods, per List, — — — — — £ 29 19 2

To Ditto, paid Robert Rawlin-
son, so much more than he delivered Beef for, £ 56 19 2

To Ditto, paid Stephen Shewell, Storage, and
Loss on Bread, — — — — — £ 15 6 10

To Ditto, paid Thomas Wharton, jun. for
keeping the Accounts, &c. £ 27 0 0

£ 10,179 7 3½

Errors excepted.

Cr.

BY Cash received of Charles Norris, — — — £ 10,000 0 0

By Ditto received of William Foster, being
so much overpaid him on Pork, — — — — — £ 9 10 0

By 116 Barrels of Meal, received of James
Wright, &c. a Committee for laying out Five
Thousand Pounds, Weight 240C. 1qr. 25lb. at
12s. and Casks, — — — — — £153 14 3

£ 10,163 4 3

Balance, — — — — — 16 3 0½

£ 10,179 7 3½

REESE MEREDITH, SAMUEL SMITH."
JOHN MIFFLIN,

The Committee of Accounts also reported on the Account of
John Smith, Esq; of Cumberland County, that they are of
Opinion, Two and an Half per Cent. ought to be deducted
from the Commissions charged on said Account, Five per

Cent. being too great a Consideration for the Services done the Province by the said *Smith*.

Upon which the House agreed to the Report of the Committee, and allowed the Account, with a Charge of *Two* and an *Half per Cent.* for Commissions.

Resolved, That the Committee of Correspondence do transmit to the Agents for this Province in *Great-Britain* the Minutes of the Treaty held by this Government at *Easton* with *Teedyuscung*, King of the *Delawares*, as delivered to this House by Mr. *Charles Thompson*, Secretary to the said King, with all the Deeds therein referred to, and such other Papers as are necessary to a true Representation of the Complaints of the said *Indians* against this Province, that the same may be laid before his Majesty for his Royal Determination.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 30, 1757.

The Governor, by the Secretary, sent down the Bill for preventing Abuses in the *Indian Trade*, &c. with a verbal Message, that his Honour adhered to his Amendments thereon. At the same Time the Secretary delivered three written Messages, which were read, and are as follow, *viz.*

GENTLEMEN,

'AS common Justice requires that no Man should be condemned unheard, in any Matter that affects his Life, Fortune or Character, I cannot think myself justified in removing Mr. *Moore* from his public Employments, till I have made him acquainted with the Complaints and Evidence exhibited against him, and given him an Opportunity of making his Defence: I therefore desire you will furnish me with Copies of the Petitions and Proofs on which your Application to me against him is grounded, and you may assure yourselves, that on a full Hearing of the Matters, strict Justice shall be done, both to him and the Public.

September 30, 1757.

WILLIAM DENNY."

GENTLEMEN,

'AS you have not published your Minutes since last *February*, I desire you will, with all convenient Dispatch, furnish me with Copies of them since that Time; and likewise of the public Accounts of the Loan-Office, and Excise, as settled this Year. If the Duplicates of the Assessments of this and the

last Year are returned to the House, I also desire to have Copies of them as soon as conveniently may be.

September 30, 1757.

WILLIAM DENNY."

GENTLEMEN,

'IF *Detraction* and *personal Abuse* of your Governor, and a bold Assertion of Facts, without Proofs to support them, were to pass for Reason and Argument, it must be acknowledged your Message of Yesterday contains a full Justification of your public Conduct, and that I am justly chargeable with neglecting to do what was in my Power to prevent many of the Evils which have befallen this distressed Province. But I have already, during my short Administration, been so accustomed to this Kind of Treatment from you, for daring to exercise my own Judgment, and presuming to differ in Opinion with you, in Matters which highly concern his Majesty's Honour and Interest, and the Welfare of the People, that I am the less surprised at the many unjust Reflections cast upon me in your long Message of Yesterday, presented to me late last Night: Indeed I have the less Reason to regret such Usage, when I consider that several *worthy Gentlemen*, who preceded me, have not been better treated, which must convince every unbiassed Judgment, that you are not so much *displeased with the Person governing*, as impatient of being governed at all.

'Your delaying to answer my Message of the Sixteenth of *August* last, till two Days before the Time appointed by the Charter for a new general Election, may, perhaps answer your Ends; especially as the Shortness of Time will not admit me, by a Reply, to take off the Glosses you have put on your Proceedings, shew your Assertions, rather than Arguments, to be false, and set in a true Light Numbers of Facts you have grossly misrepresented: But, Gentlemen, whatever may be your popular Views here, you cannot flatter yourselves that your Arts will blind the Eyes of our Superiors, to whom both you and I are accountable, and before whom these Proceedings shall be laid for their Determination. To them must be submitted the Sincerity of your Professions as well as mine, and to which of us the Calamities and Mischiefs that may attend this Province, from the Want of proper Laws for establishing a Militia, and for regulating the *Indian Trade*, may be justly chargeable.

'Your *Thirst of Power*, and *Fondness to monopolize* all Offices of Trust and Profit, induced you, in the last mentioned

Bill, to nominate all the Commissioners for *Indian Affairs* among your own Members; five of whom are also Provincial Commissioners. The Absurdity of empowering the Provincial Commissioners to draw Orders, payable to the Commissioners for *Indian Affairs*, who are the same Persons, and the dangerous Consequences to the Public of appointing none *but Members of Assembly to hold Offices of great Trust*, for which they are to account with the very Assembly whereof they are Part, and several other weighty Reasons, induced me to object to the Commissioners named in the Bill, and insert others of good Fortune, and most unexceptionable Character, in their Stead, out of the House, for your Consideration. Had you really thought the Bill a Matter of that Importance you profess, you would, instead of wasting Time in a laboured Message, wherein you declare and protest against this Amendment, as an Infringement of the Rights of the House, have rejected the Persons recommended to you by me, if you did not approve of them, and inserted others more agreeable to you, in their Stead. By this Method, if you are not so sanguine and self-sufficient as to conceive, that in this populous Province none can be found, but among yourselves, fit to hold and enjoy an Office of such great Trust and Importance, proper Persons might have been agreed on between us.

‘Though I am not ashamed to own that I have, on many Occasions, advised with my Council in Matters of Government, and have received Information and Assistance from them, yet they never assumed a Power in Legislation, or a Right to direct or dictate to me, in any Matter whatever, as you unjustly insinuate: *Their Fortunes, Families, and most intimate Connections, lie in this Province as well as yours: The Freedom of themselves and their Posterity, and their Interest and Happiness, are blended with, and inseparable from, the rest of their Fellow-Subjects: They are moreover independent, and devote their Time and Trouble to the Public without Fee or Reward*, while you are amply paid for all the Services you do. Why then is it not reasonable to suppose they act for the public Good, on Principles of Honour and Virtue? And why are they, on all Occasions, treated by you with the greatest Ingratitude, and represented as Enemies to the Community? Privy Councils are, and always have been, in use in our Mother Country, in this, and all other civilized Governments; and therefore, your considering the Council here as a Clog on Government, and oppressive to the People, is most invidious and unjust.

‘To conclude, Gentlemen, the Reasons that at first weighed

with me to make the Amendments to the Bill for regulating the *Indian* Trade, still prevail, and I cannot recede from them; and you may assure yourselves, that in this, and every other Part of my Conduct, while I continue in this Government, no Abuse from you shall induce me to deviate from the Principles of Duty and Honour, or act a Part that I cannot justify to the King, to the People committed to my Care, and to my own Conscience.

September 29, 1757.

WILLIAM DENNY."

The House taking into Consideration the last of the three foregoing Messages from the Governor,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters* and Mr. *Pearne* be a Committee to prepare and bring in an Answer to the said Message.

The Committee appointed to prepare an Answer to the Governor's Message, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was ordered to be transcribed.

The Answer to the Governor's Message being transcribed, and signed by the Speaker, was again read, and follows in these Words, *viz.*

May it please the GOVERNOR,

TIME will not permit us to give a full Answer to your Message of this Afternoon: But we cannot help remarking, the Facts asserted in our Message, are of such Notoriety, that in this Province they cannot want Proof. Have we not given to the King's Use the Sum therein mentioned? Is not that Sum nearly expended? Has there been a single *Indian* killed by all the Troops since that Sum was granted? Are not Eleven Hundred Men sufficient to make at least one Incursion into the Enemy's Country? Has the Province received that Protection from them it ought to have received? Have not our News-papers been filled with continual Accounts of the bleeding and distressed Situation of our Frontiers? Have we not tendered you many Militia Bills equitable and constitutional? Are not the Designs of the Proprietaries, and their Party, known to a Cloud of Witnesses among the People? Have not the ill Effects of Proprietary Instructions been long experienced and manifested in the Province? Has not your Honour declared you are obliged to obey those Instructions? If so, are not those Instructions of the Nature of Laws to us, as no Laws can be made but agreeable to them? Have we not tendered a Bill to you for promoting a Peace with the *Indians*, and securing them to his Majesty's Interest? Have you not

rejected that Bill because we nominated Commissioners therein, agreeable to the Practice and indubitable Right of the House of Commons? And have you not more than once declared, that you were but a Passenger in the Province? These are Facts well known, and we confide in the Justice of "our Superiors before whom these Proceedings will be laid for their Determination," where we can depend an injured and bleeding People will meet with ample Redress.

The "Thirst after Power, and a Fondness to monopolize Offices," were no Inducements to us in nominating Commissioners for *Indian Affairs*,—it was our undoubted Right, which your Honour cannot invade without violating our Charters; and by Virtue of that Right we might nominate them out of the Members of this House, agreeable to the Practice of Parliament, where no such dangerous Consequences to the Public, as are pointed out by the Governor, were ever apprehended. Those Gentlemen had assented to accept of the Trust; had been present at the several late Treaties, and were acquainted with the Importance of the *Indian Alliance* to his Majesty's Interest and this Province, and we believe of as "unexceptionable Characters" as those of your Nomination, without any Disparagement to them. But the Men your Honour appointed, or at least a Majority of them, were never consulted; and several of them have declared they would not have accepted of the Office. What then could induce the Governor to nominate them? Could it be with a Design that the good Effects of the Bill should not take Place, had it passed into a Law?

The Absurdity of "impowering the Provincial Commissioners to draw Orders, payable to the Commissioners for *Indian Affairs*," is not so glaring as the Governor has represented it. There were two Persons added to five of the seven Provincial Commissioners, who were to be the Commissioners for *Indian Affairs*, and consequently the Commissioners for *Indian Affairs*, and the Provincial Commissioners, were not the same Persons.

We have no Views but his Majesty's Interest and the Good of the People we represent; nor had we any "Design in delaying to answer your Speech." We should have answered it sooner, had the Business you recommended therein been finished before. The Charge therefore against us is as groundless, as the Excuse for not pointing out the Falshoods you are pleased to say it contains, is evasive; "two Days" being a Time very sufficient to have replied and shewn one of our

Assertions at least to be (as the Governor is pleased to call them) false, which you have not thought fit to do.

Signed by Order of the House,

September 30, 1757.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Trimble* and Mr. *Wayne* wait on the Governor, and deliver the foregoing Answer to his Honour's Message.

The Members return, and report, they had waited on the Governor with the said Answer to his Message, and that his Honour was pleased to say, he would consider it.

Ordered, That the Minutes of the House, since February last, be made ready for the Press; and that a Copy thereof, as soon as printed, be delivered to the Governor, agreeable to the Request in his Message of this Day.

Ordered, That the Clerk do furnish the Governor with fair Transcripts of all the Petitions presented to the House against *William Moore*, Esq; and of the Depositions taken before them in Support of the said Petitions.

The Report of the Committee of Accounts was approved of, and allowed by the House, and is as follows, *viz.*

We, the COMMITTEE appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the General Loan-Office, and other public Accounts, to sink and destroy all the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts, and to count all the Money, and report what Sum we should actually find in the Trustees Hands, REPORT,

THAT on the Nineteenth Day of August we counted the Money in the Hands of the Trustees of the Loan-Office and found the Sum of — — — — —	£ 3,307 0 8
That upon a strict Examination of all the Mortgage Deeds, whereupon any Quotas are due, taken by Virtue of all the Acts of Assembly for emitting Bills, and now remaining in the Loan-Office undischarged,	
We find that there are principal Sums or Quotas yet unpaid, and Quotas to become due on all the Mortgage Deeds remaining in the said Office, amounting to the Sum of — — — — —	£ 64,932 5 0
And that the one sixth Part of the said £80,000 has been paid into the said Office which is to be sunk, and not emitted upon Loan, amounting to the Sum of — — — — —	13,333 6 8
And a further Sum has been received into said Office, for and towards one other sixth Part, amounting to	1,734 8 4
All which said Sums make up the whole Sum of — — — — —	£ 80,000 0 0

THAT the Trustees, on Account of Interest arising from all the Mortgages, lent out in Pursuance of the several Acts of Assembly, are charged with the Interest outstanding last Year, — £ 8,905 10 6

To the Interest arising on all the Mortgage Deeds the current Year, — — — —	£2,423 19 8		
To broken Interest received since last Settlement, — — — —	367 19 0		
To Interest received at Discharge of several Mortgages, — — — —	19 15 4		
		£ 2,811 14 0	
To broken Interest on the first £80,000, Balance, — — — —		294 4 6	
		11,638 8 10	
			£23,649 17 10
That the Trustees have Credit for the Balance due last Year, — — — —	£ 7,171 19 11		
And by the Interest outstanding on all the Mortgage Deeds remaining in the Loan-Office, — — — —	9,787 1 5		
Also for sundry Sums paid by them for Account of the Province, viz. <i>Indian Expenses.</i>			

1756

Sept.

2. Paid Leonard Weiser, by William Parsons, per Order of the House,	£	4 0 0	
7. Paid Jacob Peplee, for his Distresses, — — — —		3 0 0	
9. Paid John Cox, for Ditto, — —		3 0 0	
22. Paid Michael Teaff, per verbal Order of the Speaker, £	5 0 0		
Paid Indian Jagrea, for Services at Fort Augusta, —	4 10 0		
		£	9 10 0

Oct.

29. Paid John Guest, for Andrew Montour's Children, £	1 0 0		
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Nov.

11. Paid Rebecca Burchall, for Schooling Ditto, — —	2 0 6		
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1757

May

31. Paid David Byers, for bringing home Ditto when went away, — — — —	0 7 6		
---	-------	--	--

June

3. Paid John Mitchell, Expenses on the Road, &c. for Ditto, — — — —	1 5 0		
---	-------	--	--

July

6. Paid Jeremiah Warder, for a Hat for John Montour,	0 18 0		
		£	5 11 0

1756

Dec.

6. Paid Ditto, for a Kettle, and Half-thicks, for Amos Shaw, — — — —	£ 0 14 0		
Paid Peter Howard, for a Pair of Shoes, for Ditto,	0 7 6		
		£	1 1 6

Cr. Carried over £16,985 3 10
 Dr. Carried over £23,649 17 10

1757		Dr. Brought over,		£23,649 17 10	
Feb.	Cr. Brought over,	£16,985 3 10			
9. Paid Thomas Webster, for boarding and nursing Jonathan and Philip Unity, per Account No. 1. —	£	27	1	11	
Paid Ditto, April 28, 1757, No. 2,		7	11	0	
13. Paid Samuel Kirke, for Interment of Jonathan Unity, Paid Negroe Dinah, for laying out the Corps, &c. — —		1	9	9	
		0	7	6	
<i>March</i>					
31. Paid David Barnes, Sundries, as per Account, for Funeral, — — — —		2	0	4	
<i>June</i>					
28. Paid Deborah Franklin, her Account for Ditto, — —		1	5	6	
<i>August</i>					
18. Paid James Bailey, his Account for making of Clothes, &c. — — —		16	6	3	
	£	56	1	10	
<i>June</i>					
25. Paid Jonathan Kayewerejowa, a Present for Services, — — —		7	10	0	
<i>July</i>					
20. Paid sundry Indians, at sundry times, per Account No. 1. —	£	1	14	7	
Paid Ditto, August 3, 1757, No. 2.		14	9	10	
Paid Ditto, Dec. 28, 1756. No. 3.		7	7	6	
	£	23	11	11	
Paid for nursing Andrew Montour's youngest Child, — — — —		15	6	0	
<i>New-England Forces.</i>					
1756					
<i>Oct.</i>					
2. Paid Joseph Morris, per Receipt, per Order of the House, — —	£	199	3	9	
26. Paid Benjamin Franklin, per Ditto,		84	17	11	
26. Paid William Fisher, per Ditto,		50	1	0	
<i>Nov.</i>					
11. Paid Isaac Norris, per Ditto, —		180	7	5	
<i>Ohio Road.</i>					
1757					
<i>Jan.</i>					
4. Paid Joseph Fox's Order to Francis Allison, for John Watts, a Labourer, — — — — —	£	2	17	6	
<i>July</i>					
12. Paid Lutrick Lycan, per Adam Hoops — — — — —		4	17	6	
<i>State-house.</i>					
1756					
<i>Oct.</i>					
22. Paid Edmund Woolley, per Receipt, £		60	0	0	
Paid Ditto, January 14, 1757, — —		50	0	0	

Paid Ditto.	April				
21, 1757, — — —		100	0	0	
Paid Ditto,	July				
2, 1757, — — —		80	0	0	
				£	290 0 0
<i>Dec.</i>					
13. Paid David Edwards, for Wood, &c., — — —		£	12	0	0
15. Paid Andrew Inglehart, Ditto, — —			2	2	0
1757					
<i>Jan.</i>					
8. Paid Samuel Kirke, Ditto, — — — —			7	0	7½
<i>Feb.</i>					
8. Paid David Edwards, Ditto, —			6	9	0
22. Paid Samuel Kirke, Ditto, — — — —			7	3	0
<i>May</i>					
5. Paid Ditto, — —			13	12	9
		£	48	7	4½
Paid Thomas Leech, for the State-house, Dec. 28, 1756, — — — —			100	0	0
<i>June</i>					
17. Paid Samuel Harding, per Receipt,			35	0	0
<i>General Account.</i>					
1756					
<i>Sept.</i>					
24. Paid Joseph Armstrong, per Order of the House, — — — — —		£	36	5	6
<i>Oct.</i>					
26. Paid William West, for Carriage of Blankets, &c. to Cumberland County — — — — —			15	5	6
<i>Dec.</i>					
21. Paid Richard Hockley, per Receipt, 1757			130	0	0
<i>Jan.</i>					
28. Paid Benjamin Franklin, for printing £10,000 Exchange Money, —			180	15	0
Paid Benjamin Franklin, for immediate Services, March 17, —		£	201	4	3
Paid Ditto, for establishing a Post to Winchester, &c. — — — —			210	13	9½
Paid Ditto, for £750 Bills of Exchange, — — — — —			1,237	30	0
<i>April</i>					
3. Paid William Franklin, for Services, as Clerk to the House, &c.			90	12	0
<i>May</i>					
21. Paid Interest on sundry Provincial Notes, per Account, — — — —			154	0	0
The Trustees Salary, — — — —			500	0	0
Paid Thomas Leech, for making the Arms, Types, &c. for the £10,000 Exchange Money, — —			25	0	0
Paid for sundry Provincial Notes, burnt June 15, 1757, — — — —		£	2,355	0	0
Interest, — — — —			166	9	9
		£	2,521	9	9
Ditto, burnt August 19, 1757, — — — —		£	110	0	0
Interest, — — — —			12	4	10
		£	122	4	10
Ditto, burnt September 27, 1757, £			180	0	0
Interest, — — — —			9	4	3
		£	189	4	3

An Allowance by Law for exchanging £550 9 2, the Balance of the old Exchange Money, at 55s.	£	1	10	3
Ditto, for exchanging £83 10 7, at 60s. — — — — —		0	5	0
	£23,649	6	2	
By an Error in the Interest Account, — — — — —		0	11	8
	£23,649	17	10	

WE do further report, that we have examined the Accounts of S. P. Moore, Provincial Treasurer, and find, That he Credits the Province on Account of the old Excise, by Balance settled with the Committee the 14th of September, 1756, — — — — —					£	278	3	6
By Cash received of Jeremiah Starr, Collector of Excise for the County of Chester, — — — — —						92	10	6
Ditto of John Hughes, Collector for Berks, — — — — —						323	8	3
Ditto of Arthur Patterson, Collector for Lancaster, — — — — —						300	2	0
Ditto of Daniel Craig, Collector for Northampton, — — — — —						10	1	0
By Cash received of John Woolston, Collector for Bucks, — — — — —						38	0	2
Ditto of James Lindsay, Collector for Cumberland, — — — — —						5	0	0
Ditto of Thomas Minshall, for David M'Connaughy, Collector for York, — — — — —						29	5	0
Ditto of Joseph Redman, Collector for the City and County of Philadelphia, By Joseph Fox, an Account of the Province Island, — — — — —						73	0	0
By John Bassonet and Peter White, for John Hall, — — — — —						99	5	6
						20	0	0
	£	1,066	15	11				

That he Charges the Province with sundry Sums paid in Pursuance of the Votes or Orders of the House, viz. To William Franklin, as Clerk, per Order, — — — — —					£	39	18	0
Paid Ditto for transcribing, engrossing, &c., — — — — —						173	7	9
Paid Ditto for Postage of Letters for the Governors Morris and Denney, — — — — —						30	18	8
Paid Daniel Roberdeau, for immediate Services, — — — — —						8	8	0
Paid Joseph Fox, for Ditto, — — — — —						8	8	0
Paid David Edwards, Door-keeper, — — — — —						24	4	0
Paid Ditto, for Brushes, and cleaning the State-house, — — — — —						7	10	6
Paid Isaac Norris, for immediate Services, — — — — —						40	0	0
Paid Samuel Kirke, Serjeant at Arms, — — — — —						8	0	0
Paid Doctor Richard Pearne, for immediate Services, — — — — —						8	8	0
Paid William Franklin, on Account of public Entertainment, — — — — —						1	5	0
Paid David M'Connaughy's Balance, — — — — —						0	8	5
Paid Joseph Hampton, for immediate Services, — — — — —						3	12	0
Burnt per the Committee, — — — — —						658	14	10
To his Commissions; at Five per Cent, — — — — —						53	6	0
	£	1,066	15	11				

THAT he Credits the Province on Account of the new Excise, By Cash received of Joseph Stretch, Collector for the City and County of Philadelphia, at sundry Times, — — — — —					£	1,410	17	0
By Ditto received of Thomas Minshall, Collector for York, — — — — —						59	14	7

By Ditto received of John Jones, Collector for Northampton, — — — — —	75 17 6	
By Ditto received of Joseph Hamton, Collector for Bucks, — — — — —	171 10 0	
By Ditto received of James Webb, Collector for Lancaster, — — — — —	181 8 0	
By Ditto received of Nathaniel Wilson, Collector for Cumberland, — — — — —	32 0 0	
By Ditto received of John Hughes, Collector for Berks, — — — — —	45 7 3	
By Ditto received of Charles Humphreys, Collector for Chester, — — — — —	441 0 0	
		£ 2,367 14 4

That he Charges the Province with Sundries, viz.

Paid Benjamin Franklin, for Paper, and Printing 48,000 Bills for the Thirty Thousand Pounds granted, October 1756, to the King, — — — — —	£ 87 1 10½	
Paid Hugh Roberts, as Treasurer for the Pennsylvania Hospital, for signing 48,000 Bills, as per his Receipt, — — —	108 0 0	
Cash sunk per the Committee, — — —	1,432 8 5	
To his Commissions, at Five per Cent, Balance due to the Province, in the Treasurer's Hands, in Specie, and the Currency of other Governments, not yet exchanged, which we have counted,	118 7 9	
	622 1 3½	
		£ 2,367 14 4

THAT he Credits the Province, on Account of the Sixpenny Provincial Tax,

By Cash received of Thomas Leech, Treasurer for Philadelphia County, — — — — —	£ 3,281 10 0½	
By Ditto of Robert Miller, Treasurer for Chester County, — — — — —	2,180 1 4½	
By Ditto of Thomas Janney, Treasurer for Bucks County, — — — — —	941 10 2	
By Ditto of Bernard Hubley, Treasurer for Lancaster County, — — — — —	1,185 4 8%	
By Cash received of Nicholas Scull, Treasurer for Northampton County, — — — — —	424 12 2	
By Ditto of Jonas Seely, Treasurer for Berks County, — — — — —	497 9 7	
By Ditto of John Calhoun, received in Part for Cumberland, — — — — —	73 8 9	
		£ 8,583 16 9%

That he Charges the Province with Cash paid Hugh Roberts, as Treasurer of the Pennsylvania Hospital, for signing 185,000 Bills for the Fifty-five Thousand Pounds, — — — — —

Paid Benjamin Franklin, for Printing, and Paper for Ditto, — — — — —	£ 416 5 0	
Paid Thomas Leech, for making Stamps, &c. for Ditto, — — — — —	340 35 3	
	28 0 0	
Paid the Trustees of the Loan-Office at sundry Times, as per C. Norris's Receipts, — — — — —	7,755 18 3%	
To his Commissions, at Ten Shillings per Cent, — — — — —	42 18 3	
		£ 8,583 16 9%

THAT he Credits the Province, on Account of the Twelvepenny Tax,

By Cash received of Bernard Hubley, for Lancaster, — — — — —	£ 1,106 10 0	
By Ditto received of Thomas Leech, for Philadelphia, — — — — —	2,016 15 9½	
		£ 3,123 5 9½

That he Charges the Province with Cash paid Hugh Roberts, as Treasurer of the Pennsylvania Hospital, for signing 72,000 Bills for the Forty-five Thousand Pounds, — — — — —

£ 162 0 0

Paid the Trustees, per Charles Norris's Receipts, — — — — —	2,953 9 7½	
To his Commissions, at five per Cent, — — — — —	7 16 2	
		£ 3,123 5 9¼
THAT we have examined the Accounts of James Lindsay, Collector of the Excise for the County of Cumberland, and find,		
That he Credits the Province with the Balance due September 9, 1755, —	£ 60 11 0	
And the Amount of Excise for the Year 1756, — — — — —	10 18 0	
		£ 71 9 0
That he Charges the Province with Cash paid Samuel Preston Moore, at three Payments, — — — — —		
To his Commissions, at Ten per Cent, —	£ 35 13 0	
Balance due to the Province, — — — — —	3 11 0	
	32 5 0	
		£ 71 9 0
THAT we have examined the Accounts of David McConaughy, Collector of the Excise for the County of York, and find,		
That he Credits the Province with Balance due September 20, 1755, — — —	£ 63 8 0¾	
Amount of Excise for the Year 1756, —	62 3 7	
Balance due on this Account, — — —	0 8 5¼	
		£ 126 0 1
That he Charges the Province with Cash paid Samuel Preston Moore, — — —		
To his Commissions on the above Sum, —	£ 20 0 0	
To outstanding Debts uncollected, and returned to the succeeding Collector, Thomas Minshall, — — — — —	2 0 0	
	102 11 9	
To an Allowance on 100 Gallons of Rum twice entered to Robert Stevenson, — — —	1 8 4	
		£ 126 0 1
THAT we have examined the Accounts of Daniel Craig, Collector of the Excise for the County of Northampton, and find,		
That he Credits the Province with the Balance due 1755, — — — — —	£ 9 14 6	
By Amount of Excise from June 1, 1755, to June 1756, — — — — —	44 7 8	
		£ 54 2 2
That he Charges the Province, with Cash paid Samuel Preston Moore, at sundry Times, per Receipts, — — — — —		
To his Commissions on the above, at Ten per Cent, — — — — —	£ 44 12 6	
To an Allowance by the Committee on two outstanding Debts, — — — — —	4 8 8	
Balance due to the Province, August 30, 1757, — — — — —	3 9 6	
	3 11 6	
		£ 54 2 2
THAT we have examined the Accounts of Joseph Stretch, Collector of Excise for the City and County of Philadelphia, and find,		
That he Credits the Province, with the Amount of Excise from October 1, 1756, to July 1, 1757, — — — — —	£ 1,994 2 2	
By sundry Retailers for nine Months, at Two Pounds Twelve Shillings and Six-pence, — — — — —	114 0 0	
By a Moiety of Fines from Sundries, — — — — —	24 1 0	
		£ 2,132 3 2
That he Charges the Province, with Cash paid Samuel Preston Moore, per Receipts, — — — — —		
	£ 1,410 17 0	

To his Commissions on the above, at Five per Cent, — — — — —	70 10 9	
Balance due to the Province, — — — — —	650 15 5	2,132 3 2
<hr/>		
THAT we have examined the Accounts of Joseph Hamton, Collector of Excise for the County of Bucks, and find, That he Credits the Province, by Amount of Excise from Oct. 1, 1756, to July 1, 1757, — — — — —		
	£ 206 11 8	
That he Charges the Province, to Cash paid Samuel Preston Moore, — — — — —	£ 171 10 0	
To his Commissions on the above Sum, at Ten Per Cent, — — — — —	17 3 0	
Balance due to the Province, — — — — —	17 18 8	£ 206 11 8
<hr/>		
THAT we have examined the Accounts of Charles Humphreys, Collector of Excise for the County of Chester, and find, That he Credits the Province, by Amount of Excise from Oct. 1, 1756, to July 1, 1757, — — — — —		
	£ 563 13 4	
That he Charges the Province, to Cash paid Samuel Preston Moore, per Receipts, — — — — —	£ 441 0 0	
To his Commissions on the above Sum at Ten per Cent, — — — — —	44 2 0	
Balance due to the Province, — — — — —	78 31 4	£ 563 13 4
<hr/>		
THAT we have examined the Accounts of James Webb, Collector of the Excise for the County of Lancaster, and find, That he Credits the Province, by Amount of Excise from the 1st of Oct. 1756, to July 1, 1757, — — — — —		
	£ 449 17 2	
That he Charges the Province, to Cash paid Samuel Preston Moore, per Receipts, — — — — —	£ 131 8 0	
To his Commissions on the above at Ten per Cent, — — — — —	13 2 10	
Balance due to the Province, — — — — —	305 6 4	£ 449 17 2
<hr/>		
THAT we have examined the Accounts of John Jones, Collector of the Excise for the County of Northampton, and find, That he Credits the Province by Amount of Excise, — — — — —		
By sundry Retailers, — — — — —	£ 89 6 10 28 17 6	
	£ 118 4 4	
That he Charges the Province, to Cash paid Samuel Preston Moore, — — — — —	63 17 6	
To his Commissions on the above, — — — — —	6 7 9	
Balance outstanding, — — — — —	47 19 1	£ 118 4 4
<hr/>		
That Thomas Minshall, Collector of the Excise for the County of York, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of — — — — —		
	£ 59 14 7	
<hr/>		
That Nathaniel Wilson, Collector of the Excise for the County of Cumberland, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of — — — — —		
	32 0 0	
<hr/>		
That John Hughes, Collector of Excise for the County of Berks, has not exhibited any Account since the Year 1755, but find he has paid to the Provincial Treasurer, on the old Excise, the Sum of — — — — —		
	£ 323 8 3	
And on the new Excise, the Sum of — — — — —	45 7 3	
	£ 368 15 6	

WE do further report, that the Provincial Treasurer has paid into the Hands of the Trustees of the Loan-Office, at sundry Times, viz.

Of the Sixpenny Tax, — — — —	£ 7,755 19 3¼	
Ditto Twelpenny Tax, — — — —	2,953 9 2	
Deducting Three Hundred and Twenty-five Pounds for paying out One Hundred and Thirty Thousand Pounds and Twenty-six Pounds Fifteen Shillings and Five-pence, for sinking Ten Thousand Three Hundred and Fifty-seven Pounds Twelve Shillings, for the Allowance per Law, — — — — —	351 16 5	
Which Sum we have burnt,		£10,357 13 0¼

AND lastly, we do report, that it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees, of the old Exchange Money, The Sum of Five Hundred and Fifty Pounds, Nine Shillings and Two-pence. Which Sum we have burnt, And the Balance of the new Exchange

Money, — — — — —	£ 5,428 3 6	
Of which we have burnt,	772 18 9	
Which leaves in the Trustees Hands,		£ 4,655 4 9

We submit these Accounts, with the others, to the Observation and Correction of the House. Philadelphia, the 30th of September, 1757.

JOSEPH FOX,
RICHARD PEARNE,
DANIEL ROBERDEAU,

JOHN MORTON,
JOHN HUGHES."

Then, the several Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being signed by the Speaker, by Order of the House,

The House rose.

INCIDENTAL CHARGES.

TO William Allen, Esq; Chief Justice,	£ 200 0 0
To Lawrence Growdon, Esq; second Justice,	60 0 0
To Caleb Cowpland, Esq; third Justice,	60 0 0
To Richard Patridge, Esq; his Salary as Agent, £100 Sterling,	165 0 0
To Robert Charles, Esq; his Salary as Agent, £100 Sterling,	165 0 0
To the Speaker, for immediate Services,	40 0 0
To the Members of Assembly for their Attendance, per List,	1,535 17 0
To Joseph Fox, Esq; 34 Days on the Committee of Accounts, and burning Paper-money,	10 4 0
To John Hughes, Esq; 34 Days on Ditto,	10 4 0

To <i>Daniel Roberdeau</i> , 34 Days on Ditto, — — —	10	4	0
To <i>Richard Pearne</i> , 34 Days on Ditto, — — —	10	4	0
To <i>Joseph Hamton</i> , 34 Days on Ditto, — — —	10	4	0
To <i>John Morton</i> , 34 Days on Ditto, — — —	10	4	0
To <i>Richard Hockley</i> , his Account for affixing the Great Seal &c. — — — — —	18	15	0
To <i>Richard Peters</i> , Esq; for Warrants to affix the Great Seal, and other Services, — — — —	48	4	6
To Ditto, as Clerk to the Council, — — — —	15	0	0
To <i>Franklin</i> and <i>Hall</i> , their Account for print- ing Votes, Laws, &c. — — — — —	106	2	6
To <i>Samuel Kirke</i> , Serjeant at Arms, — — —	8	0	0
To <i>David Edwards</i> , Door-keeper, for his Attend- ance, and other Services, <i>per</i> Account, — —	50	0	0
To <i>James Whitehead</i> , his Account for dieting two <i>French</i> Deserters, <i>per</i> Account, — — — —	29	1	6
To <i>John Clarkson</i> , for taking a List of the In- dentures of Servants and Apprentices, inlisted in his Majesty's Service, — — — — —	10	0	0
To <i>Charles Moore</i> , as Clerk, and his Account of transcribing and engrossing Bills, &c. — — —	110	7	6
To <i>William Franklin</i> , as Clerk, for Eighty-nine Days Attendance, and transcribing and engross- ing Bills, &c. — — — — —	90	12	0
To <i>Thomas Barker</i> , for riding from <i>Carlisle</i> to <i>Philadelphia</i> , and back again, with Letters from Colonel <i>Stanwix</i> , — — — — —	3	0	0
To <i>Charles Stow</i> , for summoning 76 Councils, —	9	10	0
To <i>Charles Brockden</i> , his Account as Master of the Rolls, — — — — —	27	17	0
To <i>Joseph Galloway</i> , Esq; for extraordinary Services, — — — — —	20	0	0
<hr/>			
			£2,833 11 0

WE the Committee have inspected the Accounts hereby referred to, and find them charged as usual.—*Submitted to the House, by*

WILLIAM MASTERS,
JOHN BAYNTON,
THOMAS YORKE,

WILLIAM WEST,
JOHN HUGHES."

October 14, 1757.

At an ASSEMBLY held in Philadelphia, the Fourteenth Day of
October, Anno Domini 1757, P. M.

BY the Returns of the Sheriffs of the several Counties, it

appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the Year ensuing, *viz.*

For *Philadelphia* County.

Isaac Norris,
Joseph Fox,
Thomas Leech,
John Hughes,
John Baynton,
Daniel Roberdeau,
Joseph Galloway,
Richard Pearne.

For *Philadelphia* City.

William Masters,
Benjamin Franklin.

For *Bucks* County.

William Smith,
John Abr. Denormandie,
Griffith Owen,
Gabriel Vanhorne,
James Melvin,
Thomas Blackledge,
Richard Walker,
Amos Strickland.

For *Chester* County.

Joseph Gibbons,
George Ashbridge,
John Morton,
Roger Hunt,
Isaac Wayne,
Nathaniel Grubb,
Hugh Trimble,
Joshua Ash.

For *Lancaster* County.

James Wright,
James Webb,
Emanuel Carpenter,
Isaac Saunders.

For *York* County.

John Wright,
David McConaughy.

For *Cumberland* County.

Col. John Stanwix,
William Allen.

For *Berks* County.

Thomas Yorke.

For *Northampton* County.

William Plumsted.

And a Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, and ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the Year ensuing, and accordingly placed in the Chair.

Ordered, That Mr. Fox, Mr. Masters, Mr. Smith, Mr. Gibbons, Mr. James Wright, Mr. John Wright, Mr. Yorke and Mr. Plumsted wait upon the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to the Choice of a Speaker, and desire to know when his Honour will be pleased to receive the House, that they may present their Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 15, 1757.

The Gentlemen appointed to wait on the Governor with the

Message of Yesternight, reported they had delivered the same according to Order; and that his Honour was pleased to say, he would receive the House, for the Presentation of their Speaker, at One o'Clock this Afternoon.

A Message by Mr. Secretary:

"SIR,

"The Governor requires the Attendance of the Speaker, and the House, in the Council Chamber immediately."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker; and that his Honour was pleased to approve their Choice. That the Speaker had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report.

Fourthly and lastly, that his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province. And that the Governor was pleased to say, "That he should support the House in them, or any others they were entitled to."

The Clerk having, pursuant to Order, brought in two Copies of the Qualification appointed by Law to be taken by the Members of Assembly, and the Test of Abjuration, the same were taken and subscribed, first by Mr. Speaker in the Chair, and then at the Table by all the rest of the Members present in their Order.

Resolved, That *Charles Moore* be Clerk to this House for the ensuing Year.

And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirk* be Sergeant at Arms to this House for the ensuing Year,

Resolved, That *David Edwards* be Door-keeper to this House for the ensuing Year.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon. October 17, 1757.

The House met, pursuant to their Adjournment.

The Governor, by the Secretary, sent down an Extract of a Letter from Lord *Loudoun*, with a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

'THOUGH in Times of public Peace and Tranquillity it has not been usual for the Representatives of the People to proceed to Business at this Season of the Year, yet I hope you will be of Opinion with me, that at this critical Conjunction, and Time of public Calamity, when his Majesty's Enemies are daily committing the most cruel Ravages on our Frontiers, and carrying on Designs which threaten this and the neighbouring Colonies with total Ruin, a Moment's Time ought not to be lost. Surely every Measure in our Power should be vigorously executed, that may tend to the Security of this valuable Province, and the Protection of its Inhabitants. Give me Leave therefore, at this your first Meeting, to recommend to your immediate Consideration, such Matters as appear to me the most likely to answer the above Purposes, so much desired by every loyal Subject and Well-wisher to his Country.

'A well framed constitutional Militia Law deserves your first Attention. Experience, and the Wisdom of all States shew, that a well regulated Militia is the best Security to every Country. By a constitutional Militia Law, I mean such a one as is founded on the Principles of an *English* Constitution, and preserves equally the legal Preogatives of the Crown, and the just Rights of the People. The several Militia Bills presented to me by the last Assembly, were formed on the same Plan with the late Militia Law of this Province, repealed by our Royal Sovereign in Council, particularly in that Part respecting the Election of Officers, which, among other Matters objected to, was assigned as one of the principal Causes for repealing it. How consistent such a Conduct was with the Duty and Obedience due from loyal Subjects to the best of Kings, I shall not take upon me to determine. As to my Part, I shall on all Occasions think myself indispensably obliged to conform to the Royal Determination; which Principle then did, and ever will, induce me to refuse my Assent to a Bill of the same Import with one his Majesty has been pleased to reject. These Considerations, I hope, Gentlemen, will prevail

with you to prepare a new Militia Bill, free from the Objections that proved fatal to the former Law.

'A Bill for regulating the *Indian* Trade, and preventing the Abuses formerly practised on the Natives, is also of the utmost Importance to this Province, as well to attach firmly the *Indians* to his Majesty's Interest, as to enable this Government to fulfil the several Engagements that have been made with them in the late Treaties.

'As I am informed that the Supplies given to his Majesty's Use, for the Defence and Protection of the Province, are near expended, I must recommend it to you to think in Time of proper Ways and Means to raise further Supplies, by an equal and just Taxation of the Estates of the Inhabitants, or such other Methods as you may judge will be the least burdensome to them.

'I lay before you an Extract of a Letter I lately received from the Earl of *Loudoun*, wherein his Lordship requires, that the public Roads throughout this Province should immediately be put into good Repair, and several new ones cut; without which it will be impossible to defend and relieve the Province, in Case of an Attack from the Enemy, or to act offensively against them. His Lordship's Demands are so just, reasonable, and absolutely necessary, that I am persuaded you will without Hesitation enable me to carry them into Execution.

'I propose going to my other Government on *Thursday* next. I shall press that Assembly to make all possible Dispatch with Regard to the public Business, and hope, on my Return, to find the several Bills recommended to you ready to be laid before me.

'The Affair of the Roads not admitting of the least Delay, I desire this may be finished before I set out.

October 17, 1757.

WILLIAM DENNY."

Then the House adjourned to Nine o'Clock To-morrow Morning.

October 18, 1757.

Mr. *Roberdeau*, Mr. *Denormandie* and Mr. *Blackledge* appearing, were qualified as usual, and took their Seats in the House accordingly.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Fox*, Mr. *Hughes*, Mr. *Masters* and Mr. *Yorke*, with Mr. Speaker, be a Committee of Correspondence for the ensuing Year.

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Smith*, Mr. *Strickland*, Mr. *Ashbridge*, Mr. *Saunders*, Mr. *John Wright*, Mr. *Yorke* and Mr. *Plumsted* be a Committee of Grievances for

the ensuing Year, and that they have full Power and Authority to send for Persons, Papers and Records, &c.

Ordered, That Mr. Fox, Mr. Roberdeau, Mr. Hughes, Mr. Baynton, Mr. Pearne, Mr. Walker and Mr. Morton be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts; and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts; and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have full Power and Authority to send for Persons, Papers and Records, &c.

Ordered, That Mr. Fox and Mr. Galloway, with the Speaker, be a Committee to revise the Minutes of this House, before they are printed.

Resolved, That Samuel Preston Moore, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That Benjamin Franklin, Esq; be, and he is hereby continued and appointed Agent of this Province to solicit and transact the Affairs thereof in *Great-Britain*, in Pursuance of the Powers and Instructions given to him by the last Assembly, and of such further instructions as may be hereafter given him by this House.

Resolved, That Robert Charles and Richard Patridge, Esquires, be appointed Agents to assist the said Benjamin Franklin in the Discharge of his Duty in transacting the Affairs of this Province, according to the aforesaid Resolve, during his Stay in *Great-Britain*, and then joint Agents during the remaining Part of the Year.

Ordered, That Mr. Fox, Mr. Leech, Mr. Galloway, Mr. Masters, Mr. Gibbons and Mr. Yorke be a Committee to prepare and bring in a Bill for regulating the *Indian Trade*.

Then the House adjourned to Four o'Clock, P. M.

The Committee appointed to prepare a bill for regulating the *Indian Trade*, reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was taken up again by special Order, and having passed the second Reading, after some Amendments thereon, was ordered to be transcribed for a third.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 19, 1757.

The Bill for regulating the *Indian Trade* being transcribed, was read the third time.

Resolved, That the said Bill do pass.

It being moved that a short Message be sent up to the Governor, with the Bill just passed by the House, a rough Draught thereof was wrote at the Table, read, and being agreed to, was ordered to be transcribed, and follows in these Words, *viz.*

"The House taking into their Consideration your Message of the Seventeenth Instant, and conceiving the Establishment and Regulation of the *Indian* Trade to be at present a Matter of the last Importance to the Welfare of this Province, and to his Majesty's *American* Interest in general, have prepared a Bill for that Purpose, and now present it to your Honour for your Assent.

"The House apprehends there can be no Use in offering Arguments to prevail on the Governor to pass a Bill so indispensably necessary for his Majesty's Service, and the Defence of this Colony, especially as the Governor's solemn Engagements, and the public Faith, are staked for the Performance of those Things for which the Bill is immediately calculated.

"They were induced to prefer this Bill to the other Matters recommended in your Message, by an Information they have received, that the Natives have frequently come down to Fort *Augusta* with their Peltry, under an Expectation of being supplied with Goods, agreeable to the Governor's Engagements to them, and have returned much dissatisfied at the Disappointment.

"Therefore, as the Postponing of this necessary Bill may be attended with a total Alienation of the *Indians* from the *British* Interest, and consequently not only affect this, but all the other Colonies, they entreat the Governor to take it into his serious Consideration, and give it Dispatch, before he proceeds to the Business of his other Government."

Ordered, That Mr. Walker and Mr. Plumstead wait on the Governor with the said Bill and Message, and acquaint him, that the House propose to continue sitting till his Honour's Departure for *New-Castle* to meet the Assembly of the Lower Counties, and that then, as the said Assembly did little Business last Year, and the Governor will be therefore probably detained some Time below, the Members incline to adjourn to the Second Day of *January* next.

Then the House adjourned to Five o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian* Trade, &c. and the verbal Message of the House, reported, they had delivered the

same according to Order; and that his Honour was pleased to say, he would immediately take the said Bill into Consideration, and give it all the Dispatch in his Power; but thought the Term of Adjournment proposed by the House too long, and therefore recommended to their immediate Consideration the other Parts of his Message of the 17th Instant, respecting a Militia Bill, and further Supplies.

Resolved, That this House are of Opinion, that the Expence of the Post established betwixt this City and *Carlisle*, upon a Recommendation from his Honour the Governor for that Purpose, is and ought to be paid by the Provincial Commissioners, out of the Sum of *One Hundred Thousand Pounds* granted to his Majesty's Use; and the same is hereby recommended to the said Commissioners for immediate Payment.

The Rules of the House being read as usual were agreed to, with the additional One imposing certain Fines on the Members for irregular and unseasonable Attendance.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 20, 1757.

The Governor, by the Secretary, returned the Bill for preventing Abuses in the *Indian Trade*, &c. with his Amendments thereon, which were read: Mr. Secretary also delivered a Message from his Honour to the House, which being read, is as follows, *viz.*

GENTLEMEN,

'MY Message of the Seventeenth fully shews my Opinion of the Necessity of a good Law to regulate the *Indian Trade* within this Province, but as I am a Branch of the Legislature, neither that Necessity, nor the public Faith pledged to the *Indians* on Presumption of a proper Bill being offered, can justify me in passing one that appears inadequate to the good Ends proposed, or that deprives the Government of having a due Share in the Management of an Affair wherein his Majesty's Interest is so intimately concerned. I took into Consideration the Bill, entituled, *An Act for preventing Abuses in the Indian Trade*, &c. as soon as I received it, and now return it to you with such Amendments thereto as appear to me both just and reasonable, in which I hope I shall have your Concurrence. Though I intended to set out for *New-Castle* this Morning early, to meet the Assembly of my other Government, I have this Bill so much at Heart, that I have delayed my Journey till the Afternoon, before which, I hope,

I shall know the Result of your Determinations upon the Amendments proposed.

'I now lay before you a Letter I received last Night from the Governor of *New-York*, with Intelligence that a Number of *Seneca* Warriors are gone to join the *Delawares*, or *River-Indians*, and fall on the Southern Provinces, *Minisink* and *Esopus*. This, among other Reasons, induces me again to press you to proceed on the several important Matters recommended to you in my last Message without Loss of Time.

'I hope my Journey to *New-Castle* will not occasion you to adjourn over to a further Day, as I am persuaded I shall not be detained there above a Fortnight at most, against which Time you may prepare such Bills as were recommended to you.

October 20, 1757.

WILLIAM DENNY."

The House taking into Consideration the Governor's Amendments on the Bill for preventing Abuses in the *Indian Trade*, &c. brought down by the Secretary, admitted some of the said Amendments, and in others adhered unanimously to the Bill: And the said Amendments agreed to by the House being transcribed,

Ordered, That Mr. *McConnaughy* and Mr. *Strickland* wait on the Governor therewith, and return to his Honour the Bill sent down by the Secretary this Morning, and desire he will be pleased to pass the said Bill as it now stands.

Then the House adjourned to Three o'Clock, P. M.

The Members appointed to wait on the Governor, reported, they had delivered the said Bill and Amendments, with the Message of the House, according to Order; and that his Honour was pleased to say, he would take the same into his immediate Consideration.

The Governor again sent down the Bill for preventing Abuses in the *Indian Trade*, &c. by the Secretary, who acquainted the House, that his Honour adhered to all his Amendments on the said Bill, as otherwise he must give up the most essential Rights of Government, which he was not inclined to do.

The Question being then put, whether the House do adhere to their Bill, as last sent up to the Governor? the same was unanimously resolved in the Affirmative.

A Petition from *Joshua Humphreys* was presented to the House and read, praying to be appointed the Officer for inspecting and branding of Flour exported from this Province.

Referred to further Consideration.

Then the House adourned to Ten o'Clock To-morrow Morning.

October 21, 1757.

The House taking under Consideration some material Omissions in, and considerable Differences between, the Minutes of the Treaty held at *Easton*, as printed by Order of the Governor, and those delivered to the House by Mr. *Charles Thompson*, Secretary to *Teedyuscung*, King of the *Delawares*.

Ordered, That the latter be forthwith printed, and that the Committee of the House appointed to attend the Governor to the said Treaty, do report thereon, and publish their said Report as an Appendix to the said last mentioned Minutes.

Then the House adourned to the Second Day of *January* next.

January 2, 1758.

A QUORUM of the Representatives being met, pursuant to their Adjournment, and acquainted that Mr. Speaker was so much indisposed as to be unable to attend public Business, they proceeded to the Choice of another in his Room, and THOMAS LEECH, Esq; was unanimously chosen Speaker, and accordingly placed in the Chair.

Ordered, That Mr. *Fox*, Mr. *Masters*, Mr. *Owen*, Mr. *Gibbons*, Mr. *Carpenter* and Mr. *Yorke* wait on the Governor, and acquaint him, that the late Speaker being through Indisposition prevented from attending the House, the Members have made Choice of another in his Stead, and desire to know when the Governor will be pleased to receive the House, to present him.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 3, 1758.

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would receive the House in the Council Chamber, at Twelve o'Clock To-day, to present their Speaker.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of the House, in the Council Chamber immediately, to present their Speaker."

Mr. Speaker then, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, of whom he was pleased to express his Approbation. That the Speaker had then said, that as the late Speaker had claimed the usual Privileges, it was needless for him to repeat them, except that which related particularly to himself as Speaker, *viz.* that his unwilling Mistakes might be excused, and not imputed to the House.

Mr. *Hunt*, Mr. *Grubb*, Mr. *Carpenter* and Mr. *Allen*, returned Representatives for the Counties of *Chester*, *Lancaster* and *Cumberland*, appearing in the House, took and subscribed the Qualification appointed by Law to be taken by the Members of Assembly, and then took their Seats accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Baynton* and Mr. *Morton* wait on the Governor, and acquaint him that the House are ready to proceed on any Business he may be pleased to lay before them, and report the Answer from his Honour to the House To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 4, 1758.

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had some Business of great Importance to lay before the House, which should be communicated to them by a Message this Forenoon.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'IN my Message to you at your first Meeting in *October* last, I laid before you several Matters, which as they appeared to me of the utmost Consequence to his Majesty's Interest, and the Well-being of this Province, I pressed you to take into your immediate Consideration, and give them all possible Dispatch. In Consequence of which you prepared and sent up to me one Bill only for regulating the *Indian* Trade; to which I proposed such Amendments as I thought reasonable, but on your refusing to accede thereto, that necessary Bill was laid aside, and you were pleased to adjourn to Yesterday, without proceeding at that Time to the other Matters recommended

to you. I now refer you to that Message, and again press you in the most earnest Manner to resume the Consideration of the several Matters therein mentioned. The Supplies necessary not only for the Protection and Defence of this Province, in the present critical and dangerous Situation of Affairs, but for the Payment of the Money now in Arrear to the Provincial Forces, merit your first Attention. In this you no doubt will have particular Regard to the Circumstances of your Constituents, and consider whether some other Modes of raising Taxes, such as are practised in our Mother Country, or the other Colonies, ought not to be pursued, to come in Aid of the Taxes which you may think proper to lay on Estates Real and Personal. In Pursuance of the Treaty of Peace concluded with *Teedyuscung*, and the Confederate *Indians*, at *Easton*, in *August* last, I have sent Commissioners to *Wyoming* to erect Houses there for their Habitation, and now lay before you the Commissioners Report to me of the Progress made by them in Discharge of their Trust; in which they shew, that their Return, before their Orders were fully carried into Execution, was owing to a Request made by *Teedyuscung*, that the Finishing the Work should be deferred till the Spring.

‘After your Adjournment, a temporary Expedient was agreed upon by me and the late Provincial Commissioners to prevent the fatal Consequences that might have attended the not supplying the *Indians* with a Store of Winter Goods at *Shamokin*, agreeable to the Promises made them at *Lancaster*, and Goods, to the Value of *One Thousand Pounds*, have been sent up to that Place, under the Care and Direction of Mr. *John Carson*, who was commissioned by me for that Purpose. Though this may satisfy the *Indians* for the present, yet nothing can so effectually secure to us their Alliance and Affection, or guard against their being abused and imposed on in their Dealings with us, as a proper Law to regulate the Trade with them, and I think myself obliged once more warmly to recommend to you the Preparing a Bill for that Purpose.

‘I lay before you a Letter from Lord *Colwill*, Commander in Chief of his Majesty’s Ships and Vessels in *North-America*, requesting a Supply of Seamen from this Province to recruit the Ships under his Lordship’s Command, and hope that you will enable me speedily to comply with a Demand so necessary for the Protection of his Majesty’s Colonies.

‘If any Thing material should occur during the Time of your Sitting, I shall take Care to communicate it to you. All I have at this Time further to recommend to you is, that in your Deliberations you will act with Vigour, Temper, and

Moderation, which at all Times are necessary in public Councils, but are more particularly so in the Colonies at this Conjunction.

WILLIAM DENNY."

January 3, 1758.

With the foregoing Message, the Secretary delivered sundry Papers, which were severally read, and entituled as follow, viz.

1. *A Letter dated at Halifax, November 14, 1757, from Lord Colvill, Commander in Chief of his Majesty's Ships and Vessels in North-America, to his Honour the Governor; requesting a Supply of as many Seamen, and able-bodied Landmen, as can be raised in this Colony, may be sent, with the utmost Dispatch, to Halifax, to recruit the Ships under his Command.*

2. *A Letter dated at Barnabas Hughes's, Lancaster County, November 23, 1757, from John Hughes, Edward Shippen, and James Galbreath, Esquires, Indian Commissioners, to the Governor; containing a Report of their Proceedings at Wyoming.*

3. *A Letter dated at Fort Augusta, December 17, 1757, to the Governor, from John Carson, Provincial Agent for opening a Trade there on Behalf of this Government, with our Indian Allies, in order to supply them with Cloathing, and other Necessaries: Also an Account of Sales of the Goods already disposed of, together with the Furs and Skins received in Exchange for them.*

4. *A Letter to the Governor, dated at Bethlehem, December 31, 1757, from Mr. William Edmonds; with Advice, that John Jacob (Teedyuscung's Son) was returned in Thirty-one Days from the Allegheny Town, and brought an Account that he had seen some of the Indian Chiefs (the Head of whom is Casteregua) who, upon enquiring for News of the said John Jacob, was acquainted by him with the Peace concluded at Easton with the Consent of the Six Nations, which they (the said Chiefs) were glad to hear of: That when he came away he heard Tom Leman was come amongst them with a large Belt given by the Governor at the last Treaty, from which Teedyuscung soon expected to hear of good Effects. That the said John Jacob further related, while they were at the Allegheny Town, which is about twenty Miles from the French Fort called Venango, there came Deputies from the French with five Strings, who said they intended in three Months from that Time to assemble many Soldiers, and expected also some French Indians, whom they called their own Sons, to join them in attacking the Fort at Shamokin, and that they came*

with those Strings to invite them to assist in the Attempt; but *Casteregua* on hearing the good News of Peace concluded at *Easton*, told his young Men they should all stay at Home, and not listen to the *French*, but to the Peace lately made by their Brethren the *Delawares*; and this he engaged with *John Jacob* for his young Men at that Town; though he could not say any Thing in Behalf of another Town about Fifty-five Miles distant on the Waters that come from the Great Lake.

Ordered, That the Governor's Message and the said Papers lie on the Table for the Perusal of the Members.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion by Mr. *Walker*, a Representative for the County of *Bucks*, acquainting the House with the Decease of *John Abraham Denormandie*, Esq; a late Member of this Assembly for the said County,

Ordered, That Mr. Speaker do issue his Order to the Provincial Secretary, requiring him to issue a Writ to the Sheriff of the County of *Bucks*, for electing another Person in the Room and Stead of the said deceased Member.

The House then went upon the Consideration of the Governor's Message, and, after some Time spent therein,

Ordered, That Mr. *Walker* and Mr. *VanHorne* wait on the Governor, and acquaint him, that the House desire he will be pleased to furnish them with an Estimate of the Supplies required for the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 5, 1758.

The Gentlemen appointed to wait on the Governor with the Message of Yesternight, reported they had delivered the same according to Order; and that his Honour was pleased to say, he would furnish the House with an Estimate of the Supplies required for the current Year as soon as possible.

The House resumed the Consideration of the Governor's Message by Paragraphs, and, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Smith*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *John Wright* and Mr. *Allen* be a Committee to prepare and bring in a Bill to regulate the *Indian Trade*.

Mr. Speaker laid before the House a Copy of his Order to the Provincial Secretary for issuing a Writ for a new Election of a Member of Assembly in the Room of *John Abraham Denormandie*, Esq; lately deceased; and the said Order being read, follows in these Words, *viz.*

Pennsylvania ss.

By a Resolve of this Assembly on the Fourth of this Instant, I am impowered and directed to order the provincial Secretary, that he do issue a Writ to the Sheriff of the County of *Bucks*, for the Election of a Member to serve as a Representative in this Assembly for the said County of *Bucks*, in the Room and Stead of *John Abraham Denormandie*, Esq; lately deceased.

Therefore, by Virtue of the said Resolve, and in Pursuance of an Act of Assembly of this Province in that Case made and provided, I do require that a Writ be issued to the Sheriff of the said County, for the Purpose aforesaid, according to the Directions of the said Law. Dated at *Philadelphia*, the Fifth Day of *January*, Anno Domini 1758.

THOMAS LEECH, *Speaker.*"

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare and bring in a Bill for regulating the *Indian* Trade, reported, they had made some Progress therein, and desired longer Time to complete the same, which was granted them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

Upon Motion,

January 6, 1758.

An Address, presented to his Honour the Governor by *William Moore*, a Magistrate of *Chester* County, on the Nineteenth of *October* last, and afterwards printed in the public News-papers, containing many injurious Charges, and slanderous Aspersions against the Conduct of the late Assembly, and highly derogatory of, and destructive to, the Rights of this House, and the Privileges of Assembly, was read by Order; and after some Time spent in the Consideration thereof,

Ordered, That Mr. Speaker do immediately issue his War-
rant to the Serjeant at Arms, requiring him to bring the said *William Moore* forthwith to the Bar of this House, to answer such Questions, touching the said Address, as shall there be put to him.

Upon Motion,

That there is Reason to suspect that *William Smith*, Provost of the Academy of this City, hath been concerned in writing the aforesaid libellous Address of *William Moore*, or in some other Manner an Abettor of the same,

Ordered, That Mr. Speaker do immediately issue his War-

ant to the Serjeant at Arms, requiring him to bring the said *William Smith* forthwith to the Bar of this House, to answer such Questions as shall then and there be put to him, concerning the said Address.

The House being acquainted that the Serjeant at Arms was attending with *William Smith* at the Door, he was ordered in, and examined, and afterwards committed to the Custody of the Serjeant at Arms, till further Orders from this House.

The House having received Intelligence that *Thomas Bond*, *Phineas Bond* and *Michael Lovell* could probably give them some Information respecting the Author or Authors of the said libellous Address against the late Assembly,

Ordered, That Mr. Speaker do forthwith issue a Summons for each of those Gentlemen, requiring their immediate Appearance before the Bar of this House, to answer such Questions as shall be put to them, respecting the said Address.

The House being informed that the Serjeant at Arms was attending at the Door with Dr. *Phineas Bond*, he was ordered in, and acquainted by Mr. Speaker, that the House having had Intimations that he could give them some Light in relation to a scandalous Libel, entituled, *The humble Address of William Moore*, lately published in the Weekly Newspapers of this City, they had required his Appearance before them, to declare what he knew concerning the said Address.

He replied, that as the House must be sensible the Notice given for his Appearance before them was so short, that he could not but be unprepared to answer the Questions they might think proper to put to him, he hoped he should be so far indulged as to receive the Questions of the House in Writing, and be allowed some little Time for Recollection, and to consult with his Friends, before he returned his Answers, which could not otherwise be made with any satisfactory Degree of Strictness or Certainty.

He was then ordered to withdraw, and Mr. Speaker having collected the Sentiments of the House, respecting his Request of Time, and the Questions in Writing, the said *Bond* was again called in, and acquainted, that his Request being unprecedented, and such as could not have any Foundation in Reason, since the Questions intended to be asked him had no Tendency to criminate himself, the House were not disposed to grant it, but required that he would proceed immediately to give his Evidence in the usual Way.

The said *Bond*, still hesitating, and more strenuously urging the Impossibility of an immediate Compliance with

the Demand of the House, for certain Reasons only known to himself, and which he could not impart to them, was further acquainted, that the House, in Regard to his known Connections with Mr. *Moore*, were disposed to treat him with the utmost Lenity in their Manner of taking his Evidence, and should ask him no Questions which had any Tendency to criminate that Gentlemen, or himself, but only a third Person, to whom he was not publicly known to be under any Obligations; but even admitting he should, that those Obligations ought not to be put in Competition with, or obstruct, public Justice; and therefore he could have no reasonable Plea for any longer refusing an immediate Answer to the following Question, *viz.*

Whether to his Knowledge a Paper, containing the Substance of an Address presented to the Governor, and subscribed *William Moore*, was corrected, altered, or amended at any Time whatever by *William Smith*, Provost of the Academy of this City?—To which, after some Deliberation, the said *Bond* replied, I will not give a categorical Answer to that Question at this time: whereupon he was ordered into Custody of the Serjeant at Arms, and the House taking into Consideration the general good Character of the said Evidence, together with the Difficulties he might be under from his particular Situation, and being altogether averse to a rigorous Procedure against him, while there was any Prospect of Success from the contrary,—

Resolved, That nothing which the said *Phineas Bond* shall testify or declare in the Course of his present Examination before this House, shall in any wise, or on any Occasion, be of any Force, Validity, or Effect, in charging him the said *Bond* with any Offence or Misdemeanor in promoting, writing, or abetting, a certain scandalous Libel against the late Assembly, entituled, *The humble Address of William Moore, one of the Justices of the Peace for the County of Chester.*

And the said Evidence being again ordered in, the same was read to him; but he still obstinately persisting in his Refusal to give a direct Answer at this Time to the Question,

Resolved, That the said Refusal is an high Contempt to the Authority and Powers of this Assembly, and hath a manifest Tendency to suppress the Truth, and obstruct public Justice. Therefore

Ordered, That the said *Phineas Bond* be committed to the Custody of the Serjeant at Arms, until he shall make Answer to the said Question, or till further Orders from this House, and that the Serjeant do not permit any Person

whatsoever to converse with, or speak to, the said *Bond*, but in his Presence and Hearing.

Doctor *Thomas Bond* was then ordered in, and, after being examined by the House, was directed to withdraw.

The Serjeant at Arms acquainting the House that Doctor *Phineas Bond*, committed to his Custody, requested the Indulgence of being further heard before them, he was again admitted, and addressing himself to the Chair, acquainted the House, that as a certain Evidence examined before them since he was, had in the Course of his Testimony, disclosed some Facts, which he had apprehended himself obliged by the Ties of Honour and Friendship to conceal, he now thought he was thereby absolved from those Obligations, and would candidly answer the Question before proposed to him: Whereupon the said Question being again put to him, and the said *Bond* giving a direct and satisfactory Answer thereto,

Ordered, That he be discharged from the Custody of the Serjeant at Arms.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 7, 1758.

The Serjeant at Arms attending at the Door with *Michael Lovell, Robert Levers, David Hall* and *William Bradford*, in Pursuance of the Order of the House for that Purpose, they were severally called to the Bar, and, after being examined, were ordered to withdraw.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

January 9, 1758.

The House met, pursuant to their Adjournment.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

"I RECEIVED and Address from the late Assembly of this Province, dated the Twenty-eighth of *September* last, wherein they in general Terms charged *William Moore, Esq*; one of the Justices of the Peace for the County of *Chester*, with Extortion, and divers other oppressive and illegal Practices committed by him in the Execution of his said Office; and therefore entreated me to remove him from the Offices of Judge of the Court of Common Pleas, and Justice of the

Peace, and from all other public Offices, Posts and Employments whatsoever under his Majesty within this Government. In Answer to this Address I informed that Assembly, as common Justice required that no Man should be condemned unheard, in any Matter that affected his Life, Fortune or Character, I could not think myself justified in removing Mr. *Moore* from his public Employments, till I had made him acquainted with the Complaints and Evidence exhibited against him, and given him an Opportunity of making his Defence, and therefore desired they would furnish me with Copies of the Petitions and Proofs on which their Application to me against him was founded, and that, on a full Hearing, strict Justice should be done, both to him and the Public. From the Moment I received the above Address, I determined on a full and close Enquiry into the Charges against Mr. *Moore*, and to make a public Example of him as far as my Power extended, if it should appear he had misbehaved himself, or oppressed his Majesty's Subjects under Colour of his Office: And to that End I appointed this Day for hearing all the Proofs in the Case, after due Notice being given to the Parties and their Witnesses. Accordingly I attended on that Occasion this Morning, with my Council, in the Council Chamber at the State-house, but received a Letter from Mr. *Moore*, informing me, that he was arrested on *Friday* last, by a Deputy of your Serjeant at Arms, and brought to this Town by Warrant from your House, and is now confined in close Custody, and therefore could not appear in Obedience to my Order, to make his Defence. I thought it proper to give you this Information, to shew you I was sincerely disposed to do every Thing in my Power, consistent with the Rules of Justice, in this Matter, and that any Delay therein cannot be imputed to me.

January 9, 1758.

W I L L I A M D E N N Y."

The House taking the foregoing Message from the Governor into Consideration, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Strickland*, Mr. *Gibbons*, Mr. *Saunders*, Mr. *John Wright*, Mr. *Allen* and Mr. *Yorke* be a Committee to draw up and bring in an Answer to the said Message.

Upon Motion,

That the Reverend Mr. *Hanshew*, a *Lutheran* Minister, could give some Information to this House, touching the Share and Concern which *William Smith*, Provost of the Academy, hath had in translating and publishing in *Dutch* a late scandalous

Libel, entitled, *The humble Address of William Moore, one of the Justices of the Peace for the County of Chester.*

Ordered, That Mr. Speaker do forthwith issue an Order, requiring the said *Hanshew* to give his Attendance immediately before this House, to answer such Questions as shall then and there be put to him touching the said Address.

The House being informed that the Serjeant at Arms was attending at the Door with the said *Hanshew*, he was ordered in, and after being examined by the House, withdrew.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 10, 1758.

The Committee appointed to prepare an Answer to the Governor's Message of Yesterday, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, and considered by Paragraphs, was agreed to, and ordered to be transcribed.

The Petition of *John Bound*, junior, was presented to the House and read, praying Redress of the Injustice done him by *William Moore*, Esq; in reversing a Judgment given in his Favour by Justice *Lightfoot*, and adjudging the Petitioner to pay the Costs of both Suits.

A Petition from the Overseers of the Poor of the City of *Philadelphia* was presented to the House and read, praying Provision may be made for repaying the Sums they have advanced in Support of the *French* Neutrals.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from *Jane Rogers* was presented to the House and read; complaining of *William Moore's* unjustly detaining Money from her, due to the Estate of her late Husband *Daniel Howell*, deceased.

The Petition of *Joseph Rogers* was presented and read, praying Redress of the Injustice of *William Moore*, in refusing to settle Accounts with him, and pay a Balance due to the Petitioner.

The Petition of *Theophilus Thomas*, and others, was presented to the House and read, praying an Amendment of the Law concerning Administrations.

The Answer to the Governor's Message being transcribed, was read, signed by Mr. Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

THE late Assembly of this Province did address your Honour to remove *William Moore*, Esq; from all public Offices, Posts and Employments whatsoever under his Majesty in this Government, being convinced, on an impartial Enquiry, that he had greatly misbehaved himself in his public Office as a Justice of the Peace, and that, as he had so manifestly violated the Trust reposed in him, he was unworthy of all public Trust and Confidence whatsoever. This Enquiry, we beg Leave to observe, was attended with the same Rules of Justice your Honour intends to proceed on, "that of making him acquainted with the Complaints and Evidence exhibited against him, and of giving him an Opportunity of making his Defence."—This, that Assembly was conscious, common Justice required, and therefore gave *William Moore* repeated Notice of their Resolution to examine into the Aggrievances complained of, and required his Attendance to exculpate himself, and prove his Innocence, if in his Power, as appears from the Minutes of the House.

It is likewise true, that the said *William Moore* was arrested by a Deputy of our Serjeant at Arms, and is now in Custody for publishing an insolent and scandalous Libel, replete with the most indecent Calumnies, and shameful Falshoods, against the late Assembly of this Province, tending in the most evident Manner to bring the Authority and Dignity of the House of Representatives into Derision and Contempt among the People, and to a Dissolution of some of the most essential Powers and Privileges of the Constitution.

This your Honour cannot be a Stranger to, as the Author had the Assurance to address and present it to your Honour, and afterwards publish it in the public Gazette.

We should think ourselves extremely defective in our Duty to the late, as well as all future Assemblies, had we not, prior to all other Business, taken the necessary Steps to bring to Justice such an heinous Offender against the Peace, Tranquillity and Authority of the Constitution.

And we hope, when your Honour considers how necessary it is that both the Branches of the Government should act in Concert, when the legal Rights and Powers of either are abused, that you will cheerfully concur, if necessary, in supporting the Rights and Privileges of the Assembly, and in punishing those who shall dare to infringe or invade them; for, permit us to remark, the same restless and factious Spirit that shall have Wickedness enough to insult the one, will be prevailed on to abuse the other: And should they succeed in

their arbitrary Designs of crushing the Powers of the Assembly, may with the same Resolution attack the other Branch of the Constitution, and, if possible, reduce it to equal Derision and Contempt; to prevent which inconceivable Mischief, nothing can be so effectual as a steady Unanimity in the Legislature, and a due Exertion of the Powers of each, for the Preservation of both.

It is therefore with Pleasure we observe your Honour is determined, as far as your Powers extend, to make a public Example of such who have misbehaved or oppressed his Majesty's Subjects, under Colour of their Offices, and that you are "sincerely disposed to do every Thing in your Power, consistent with the Rules of Justice," with respect to the Complaints and Petitions against *William Moore*.

At the Time we, in the Character of the late Assembly, presented the Address against him to your Honour, we did expect that, upon an impartial Examination of the Assembly into the Complaints and Oppression of their Constituents, you would have been pleased to have removed a Person from his public Offices, who, it appeared from the Petitions and Examinations, taken on Oath, and laid before your Honour, had so heinously offended, and been so long in the constant Practice of distressing the poor and necessitous Part of the People.

A Multitude of Instances might be adduced to your Honour, where this has been done by the Crown, upon the Examinations of the Commons, whose Power of Enquiry into the Grievances of the People has been established ever since the Existence of the present happy Constitution: But as your Honour seems determined not to remove him without an Enquiry into the Facts before yourself, "and to that End had appointed a Day for hearing the Proofs," we beg Leave to remark, that we never had any Notice of that Appointment, which we humbly conceive we ought to have had, in order to enable us to have drawn up the Charges against him in so many several Articles of Impeachment, directed proper Persons to prosecute in Behalf of the injured and distressed People, and to have had a Committee of the House present during the Course of the Trial.

These Steps, may it please your Honour, are strictly agreeable to the Usage of Parliament, and Customs of our Mother Country, which we hope will ever be (as they ought) the invariable Rules of the Conduct of both the Branches of the Legislature. Without this no regular or legal Procedure can be had in the Trial of any Person whatsoever before your

Honour, no more than an inferior Court can proceed to try and convict a Felon, without a Presentment or Indictment from the Grand Inquest for that Purpose. The Power of impeaching is incontestably in the Assembly, by the Charter of Privileges, and an established Law of the Province; and the Power of determining such Impeachments in the Governor alone: And therefore a Concern for the Honour of the Governor, and the Rights of the People we represent, obliges us to inform him, that all Hearings and Trials before the Council, where they assume a Voice in the judicial Determination, is an high Infringement on the Rights of the People, a Violation of the Charters of the Province, and an Innovation in the Constitution, as it would be erecting a new Court of Judicature, unknown in the Government before, which neither the Laws or Charters of the Province will support or countenance

Therefore, in order to avoid a Failure of Justice, and at the same Time to support the Rights and Privileges of the Constitution, and Usages of Parliament, we request your Honour will appoint a Day for the Trial of *William Moore*, upon such Articles of Impeachment as shall be exhibited against him by this House; upon due Notice whereof we will with all Expedition proceed to draw up in Form such of the People's Complaints as are of the most heinous Nature, and can be evidently proved against him, and present them to your Honour, for your Determination thereon. As soon as this is done, our Serjeant at Arms shall either attend with the Prisoner in his Custody, or deliver him over to such Person as your Honour shall appoint for that Purpose, during the Trial, as shall be most agreeable to your Honour.

Signed by Order of the House,

January 10, 1758.

THOMAS LEECH, Speaker."

Ordered, That *Mr. Trimble* and *Mr. Ash* wait upon the Governor, and deliver the said Message.

A Petition from *Samuel Lightfoot*, and sundry others, of *Pikeland Township*, was presented to the House and read, praying a Revisal and Amendment of the Law for recovering Debts under *Forty Shillings*.

A Petition from sundry Inhabitants of *New-London Township*, in the County of *Chester*, was presented to the House and read, setting forth the arbitrary and unjust Proceedings of *William Moore*, in the Settlement of *John Frew's Affairs*, and praying the Removal of said *Moore* from his Office of Justice of the Peace.

A Petition from many of the Freeholders of *Chester County*, presented to the Governor, praying the Removal of *William*

Moore from his Office of a Magistrate for the said County, was also presented to the House and read.

The Petition of *John Bound* was presented and read, praying Redress against the Injustice and Oppression of *William Moore*, Esquire.

Another Petition from the Freeholders of *Chester County* was presented and read, praying the Removal of *William Moore*, Esq; from his Office of a Magistrate.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 11, 1758.

The Gentlemen appointed to wait on the Governor with a Message from the House of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into Consideration, and give it such an Answer as it required.

The Petition of *Andrew Parks* was presented and read, setting forth the illegal, arbitrary and cruel Proceedings of *William Moore's* Constables against him, and praying Redress of the same.

The House being acquainted that the Serjeant at Arms was attending at the Door with *William Moore*, he was ordered in, and being shewn a printed Paper, with the Manuscript from which it was printed, containing an Address to the Governor against the late Assembly, subscribed *William Moore*, he, the said *Moore*, was asked by Mr. Speaker, whether he was the Author of said Address, shewn him both in Manuscript and in Print? To which the said *Moore* (after examining the said Manuscript) replied, that it was his own Hand-writing, and that he had delivered the same to the Printer for Publication, in Justice to his Character, which he apprehended had been much aspersed and injured by an Address presented to the Governor by the late Assembly, desiring his Removal from his public Offices.

The said *Moore* was then further asked, whether he had been assisted in drawing up, writing or amending the said Address?—To which he answered as follows:—"I drew it up myself, Part at my own House, and Part in Town;—I did indeed shew it to several of my Friends, who made few or no alterations in it; I am therefore the Author of it myself."

It being then moved, that some Petitions presented Yesterday and this Morning to the House against the said *Moore*, be read, and the Evidences attending in Support of the said

Petitions be called in and examined before him:—He replied, that as he was not acquainted with the Nature of the Charges contained in those Petitions, he could make no immediate Answers to them, and should therefore be silent in case they were read, believing the House had no Cognizance of such Matters.

The said *Moore* was then ordered to withdraw, and to be continued in Custody of the Serjeant at Arms till further Orders.

Resolved, That the said *William Moore* is guilty of an high Contempt to the Authority of this House, in such Refusal and Declaration, that he will not answer before them to the Petitions exhibited against him.

The House taking into Consideration the unreserved Confession made by the said *William Moore* of his being the Author and Publisher of the said libellous Address against the late Assembly,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Masters*, Mr. *Carpenter*, Mr. *Ash*, Mr. *Melvin* and Mr. *Yorke* be a Committee to draw up such Resolves as may be proper for this House to make on the said libellous Paper, entituled, *The humble Address of William Moore, one of the Justices of the Peace for the County of Chester*.

Ordered, That *William Moore* be immediately furnished with Copies of the Petitions of *Andrew Parks* and *John Bound*, senior, presented Yesterday and this Forenoon to the House; and that this House will proceed to hear the Evidences attending in Support of the said Petitions this Afternoon; also, that the Serjeant at Arms have Notice to bring the said *Moore* again before this House, that he may be present at the said Examination.

Ordered, That Mr. *Hughes*, Mr. *Pearne* and Mr. *Baynton* be a Committee to examine and select the most material Petitions presented to the late as well as to this present Assembly against the said *William Moore*, and report the same to the House, and that the Clerk do serve the said *Moore* with Copies of the Petitions so selected.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to draw up Resolves upon the Address of *William Moore*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, were agreed to, and follow in these Words, *viz.*

THE Committee appointed to draw up such Resolves as should be proper for this House to make on *The humble Ad-*

dress of William Moore, one of the Justices of the Peace for the County of Chester, beg Leave to report the following, and submit them to the Correction of the House:

Resolved, 1. That to write or publish any Piece or Libel, reflecting upon the Proceedings of the present or last House of Assembly of this Province, or any Member thereof, for, or relating to, his Service therein, is an high and manifest Violation of the Rights and Privileges of the Representatives of the People.

Resolved, 2. That the Piece, entitled, The humble Address of William Moore, one of the Justices of the Peace for the County of Chester, is a false, scandalous, virulent and seditious Libel, highly reflecting on the Honour, Dignity and Proceedings of the last House of Assembly of this Province, by charging them, when in the faithful Discharge of their Duty, with Partiality, Corruption, Oppression and Persecution, and tending to create Differences and Discontent between the two Branches of the Legislature, and Animosities, Riots and Disorders among the People.

Resolved, 3. That to assert, either directly or indirectly, that an Assembly of this Province hath no Right or Power, or is not invested with legal Authority to hear the Petitions, examine into and redress the Aggrievances and Complaints of the People against public Officers, or in any other Case where the Subject is oppressed, tends to promote and encourage wicked Men in oppressing and distressing the Community, the Destruction of the Rights and Privileges of the Representatives of the People, and the Subversion of one of the fundamental and most essential Powers of the Constitution."

Resolved, That it appears to this House, upon the Confession of the said William Moore, that he did write, sign and deliver to Mr. David Hall, to be published, a Manuscript Copy of the said libellous Address; and therefore

Ordered, That the said William Moore be forthwith committed to the common Goal of the County of Philadelphia, there to remain until he shall willingly make such a Retraction of the Aspersions and Falshoods contained in the said Libel, as this House shall approve of, or obèy such other Order as this House shall take for the same, during the Continuance of this present Assembly.

Ordered, That the said libellous Address be burnt by the common Hangman, at such Time and Place as this House shall hereafter direct and appoint.

Mr. Moore, being again called in, and the foregoing Resolves and Orders distinctly read to him, he was asked,

whether he would make the Submission and Recantation required by the House? and answered peremptorily in the Negative.

He then desired Leave to prefer a Complaint against the Behaviour of the Deputy Serjeant to him; but being acquainted, that though it was reasonable his Complaint, if well grounded, should be heard, yet the present was an improper Time for it, the Deputy being absent; but he might present it by Petition hereafter, and was ordered to withdraw.

The following Order being then made out, and signed by Mr. Speaker, by Order of the House, and delivered to *James Coultas, Esq; Sheriff of the County of Philadelphia:*

Pennsylvania, ss.

*To James Coultas, Esq; Sheriff of the
County of Philadelphia.*

THE House of Assembly of this Province hath this Day adjudged *William Moore* for writing, signing and publishing a false, scandalous, virulent and seditious Libel against the last House of Assembly of this Province, and highly derogatory to, and subversive of, the Rights and Privileges of this present House; and also for a Contempt committed against this House, in refusing to answer to certain Petitions exhibited against him, complaining of Misdemeanors, and corrupt Practices in his Office as a Justice of the Peace for the County of *Chester*: These are therefore, in Behalf and by Order of the said last mentioned House of Assembly, to require and charge you to receive the said *William Moore* into your Custody, within the common Goal of your County, under your Charge, and him therein safely to keep and detain until you shall receive further Orders from this House. Hereof fail not, as you shall answer the contrary at your Peril. Given under my Hand, this Eleventh Day of *January*, in the Year of our Lord 1758.

THOMAS LEECH, *Speaker.*"

Upon Delivery of the foregoing Mittimus to the Sheriff,

Ordered, That Mr. Speaker do give it in Charge to the Sheriff to keep his Prisoner *William Moore* in close Custody, agreeable to the Direction of the Commitment to him delivered, and that he do not obey any Writ of *Habeas Corpus*, or other Writ whatsoever, that may come to his Hands for the Bailing and Discharging the said *William Moore*, or otherwise discharge him from his Custody, on any Pretence whatsoever, and that this House will support him in his Obedience to this Order.

Resolved, That the House will proceed To-morrow to hear

and examine the Petitioners attending against *William Moore, Esq;*

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 12, 1758.

The House proceeded, agreeably to the Order of Yesternight, to examine the Petitioners against *William Moore, Esq;* which having done, they were all dismissed.

The Governor sent down to the House an Estimate of the current Year's Expences, from the First of *January*, 1758, to the First of *January*, 1759; also, an Estimate of the Arrears due to the Provincial Forces to the First Day of *January*, 1758, and the annual Expence of the said Forces; which were severally examined, and are as follows, *viz.*

ESTIMATE of the current Year's Expence for the Province of Pennsylvania, from the First of January, 1758, to the First of January, 1759.

ARREARS due to the Provincial Forces, as <i>per</i> Paymaster's Return, to the First of <i>January</i> , 1758,	£ 13,540	8	8
Contractor's Account for Provisions, due the First of <i>January</i> , 1758, (not yet come in) ..	5,000	0	0
Twenty-five Companies of Foot, Pay and Sub- sistence, as <i>per</i> Paymaster's Return,	66,301	4	2
Fire, Candles, &c. for the Guard at <i>Wicacoa</i> Fort,	50	0	0
Pay, Provisions, Ammunition, &c. for the Pro- vince Frigate, for nine Months Cruize, at £1,000 <i>per</i> Month,	9,000	0	0
Outset of the said Province Vessel,	500	0	0
Fire, Candles, and other Necessaries for the Barracks,	500	0	0
An Engineer to be taken into regular Pay, for Service of the Province, at <i>Fifteen Shillings</i> <i>per</i> Day,	10,000	0	0
Contingencies,	10,000	0	0
<hr/>			
	£ 105,164	12	10

To the above Estimate is to be added,

The Subsistence of the Neutral *French*, of
which the Commissioners can give an Ac-
count,

The Expence of the Repairs of the Roads, as
recommended by Lord *Loudoun*.

By his Honour's Command,

January 12, 1758.

RICHARD PETERS, Secretary."

ESTIMATE of Arrears of Pay due to the Province Forces of Pennsylvania, to the First Day of January 1758, and the Annual Expence of said Forces, viz.

TO the *Augusta* Regiment, consisting of eight Companies, and one Company of Colonel *Weiser's* Battalion, from the Tenth Day of *September*, to the First Day of *January*,

(In each Company)

One Captain, at Ten Shillings per Day,			
One Lieutenant, at Five Shillings and Six-pence, — — — — —			
One Ensign, at Four Shillings, — — — — —			
Two Serjeants, at Two Shillings, each,			
Two Corporals, and one Drummer, at One Shilling and Eight-pence each, — — — — —			
Forty-eight private Soldiers, at Forty-five Shillings per Month, — — — — —	£ 5,045	8	0
Major's Pay, at Five Shillings per Day,		28	0
Adjutant's at Two Shillings, — — — — —		11	4
Chaplain's, at Six Shillings and Eight-pence, — — — — —		37	6
Surgeon's, at Seven Shillings and Six-pence, — — — — —		42	0
Commissary of Stores, at Ten Shillings,		56	0
To Sixty Battoe-men, from the Tenth of September to the First of January, at Two Shillings and Six-pence per Day each, — — — — —		840	0
<i>Augusta</i> Regiment,			
To Colonel <i>Weiser's</i> Battalion, from the First of October, to the First of January, eight Companies, as above, ..	£ 3,640	16	0
Lieutenant-Colonel's Pay, at Seven Shillings per Day, — — — — —		32	4
			£ 3,673 0 0
To Colonel <i>Armstrong's</i> Battalion, from the First of Oct. to the First of January, eight Companies, as above,	£ 3,640	16	0
Lieutenant-Colonel's Pay, at Seven Shillings per Day, — — — — —		32	4
Surgeon's at Seven Shillings and Six-pence, — — — — —		34	10
			£ 3,707 10 0
Military Secretary, his Salary, per Annum, — — — — —			100 0 0
Total of Arrears due to the First of January 1758, — —			£13,540 8 8

Errors excepted,
Philadelphia, January 9, 1758. JAMES YOUNG, Paymaster."

N. B. The Sum due to the Contractors for Provisions, is known to the Commissioners.

Resolved, That the House will proceed To-morrow Morning to a further Hearing of *William Smith*, still in Custody of the Serjeant at Arms.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 13, 1758.

The Serjeant at Arms attending, according to Order, with *William Smith*, he was called in, and acquainted from the Chair, that he was charged with being a Promoter and Abettor

of the Writing and Publishing a Libel, entitled, *The humble Address of William Moore, one of the Justices of the Peace for the County of Chester*, and was now brought to answer to the same before the House.

The said Address being then read to him, he was further told, that the House having taken some Evidences in Support of the Charge exhibited against him, they should be read before him, and that afterwards he should be at Liberty to call for and examine any Evidences he could produce to exculpate himself from the said Charge.

In Answer, Mr. *Smith* begged Leave to remark to the House, before they proceeded any further, that as he had never been served with a Copy of the Charge against him, and therefore did not understand it, neither had been present at the Examination of the Evidence in Support of it, he was unprepared for his Defence, and therefore hoped the House would allow him Copies of the Charge, and of his own Examination before them, and also Counsel, a future Day of Trial, and his Liberty (upon giving sufficient Security) till that Day, in order to prepare for his Defence. He was then ordered to withdraw, and the House taking into Consideration the said Requests.

Ordered, That the Clerk do furnish the said *Smith* with a Copy of the Minutes containing the Charge against him, and also a Copy of his own Examination before this House.

Resolved, That the said *Smith* be allowed Counsel, and a future Day of Trial.

Resolved, That the said *Smith's* Counsel, and such others of his Friends as he shall chuse to consult with, have free Access to him, and privately consult with him under the Custody of the Serjeant at Arms, in order to prepare for his Trial.

Resolved, That next *Tuesday*, the Seventeenth of this Instant, be appointed the Day for the said Trial.

The said *Smith* being again called in, the foregoing Order and Resolves were read to him, and he was told, he must acquaint the House either this Evening or To-morrow Morning, what Gentlemen he made Choice of for Counsel, and then withdrew.

Then the House adjourned to Four o'Clock, *P. M.*

The House being acquainted that the Sergeant at Arms was attending at the Door with *William Smith*, agreeably to Notice, he was ordered in, and asked what Counsel he had made Choice of? To which he replied, he had not had an Opportunity, since he left the House, of speaking to some Gentlemen of the Law he intended to apply to, but before

he came here in the Morning, he had asked Mr. *Chew* whether he would appear for him as Counsel, in Case it should be necessary, and the said *Chew* had consented to serve him. Mr. Speaker then informed the said *Smith*, that the House were of Opinion the Gentlemen he had made Choice of, from the Nature of his Office as King's Attorney, ought not to be permitted to appear for him, and it was therefore the Advice of the House, that he should provide himself with other Counsel, and not depend singly upon the Attorney-General.

The Governor, by the Secretary, send down a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

'ALL I intended by my last Message to you, was to shew you I had paid great Regard to the Remonstrance made to me by the late Assembly of this Province against Mr. *Moore*, and had taken the proper Steps to enquire into the Truth of the many Petitions exhibited against him; and further, to acquit myself from any Charge of Delay on that Occasion.

'I did not take upon me to require of you the Causes of his being arrested and imprisoned, nor do I think it now becomes me to enquire, whether the Address you mention contains libellous Matter against the late Assembly; or if it does, whether you, who (as you are pleased to say) *in the Character of the late Assembly, presented the Address against Mr. Moore*, can, in your present Capacity, as a new Assembly, take Notice of, and punish the Author of it. You no Doubt will judge how far your legal Power extends, and take Care to confine yourselves within the Limits by which it is circumscribed. You ought, and I am persuaded, will, support your own Dignity and legal Rights, in which you will always find me ready, if necessary, to join and act in Concert with you, so far as I have Power to do it.

'I cannot help observing, that from several Parts of your last Message, you seem apprehensive that, in the Steps taken by me to bring the Complaints against Mr. *Moore* to a full Hearing, I have attempted to *establish a new Judicature, unknown to the Constitution; and that a Concern for my Honour obliged you to inform me, that all Hearings and Trials before the Council, where they assume a Voice in the judicial Determination, is an high Infringement of the Rights of the People, a Violation of the Charter of the Province, and an Innovation in the Constitution.* I am much obliged to you, Gentlemen, for the Concern you express for my Honour; but I cannot conceive what could give Rise to your Appre-

hensions. A Concern for my own Honour, and that of the Council, lays me under the Necessity of telling you, that your Fears had no just Foundation; that in no one Instance, since my Accession to this Government, I have ever by myself, or in Conjunction with my Council, sat as Court of Judicature, or given any judicial Determination.

'On considering the Matters complained of in the last Assembly's Address against Mr. *Moore*, I could not be so absurd as to suppose that I had a judicial Power to arraign, try, condemn and punish him, for the Offences therein charged upon him. Indeed the only particular Charge alleged against him was that of Extortion, an Offence very criminal in its Nature, and for which (if guilty) he ought to be severely punished; but I well knew that a positive Act of Assembly of this Province annexed a Penalty to that Offence, and directed the Mode of Trial therein, and that without assuming a Power of dispensing with Law, I could not sit in a judicial Capacity on his Trial: However, as the Office, in which it is said he had misbehaved himself, was held under this Government, I thought it a Duty I owed to Justice, and to the Public, to satisfy myself of his Guilt or Innocence, that if he could not clearly acquit himself from the Charges, I might, by depriving him of his Commission, at least put it out of his Power to commit the like Offences for the future. To this End only I appointed *Monday* last for the Hearing, and desired the Assistance of my Council. If in this I have violated the Charter, and been guilty of an Innovation in the Constitution, and erected a new Court of Justice, I leave you and the World to judge.

'I have very carefully considered, as well as the Shortness of the Time would admit, that Part of your Message, wherein you assert, *that the Power of impeaching is incontestably in the Assembly, by the Charter of Privileges, and an established Law of this Province, and the Power of determining such Impeachments in the Governor alone*, and do assure you, that if I could be as fully convinced as you seem to be, that I am legally vested with so supreme a Power, I would not hesitate one Moment to take upon me the Exercise of it. Give me Leave to observe to you, Gentlemen, that in the Establishment of so transcendent a Power, in the single Person of a Governor of this Province, so widely differing in its present Frame and Constitution from that of our Mother Country, especially in the Branches of the Legislative Body, the Lives, Liberties and Properties of every Freeman in it, are deeply interested. I agree with you, that Impeachments

are warranted by the Usage of Parliament, and Customs of our Mother Country; but you will please further to consider, that the Parliament of *England* consists of three different Bodies and Estates, namely, the King, Lords and Commons, each of which have, inherent in them, distinct Pre-rogatives, Privileges, Powers and Jurisdictions, which I conceive they do not derive under any positive Laws made for that Purpose; but such their Rights are originally founded in the Nature of their Institution, and the Principles of an *English* Government. The Commons have an undoubted Right to impeach Criminals for such high Crimes and Misdemeanors as they cannot be called to an Account for in the ordinary and established Courts of Justice; and it is as undoubtedly the Right of the House of Lords only, to hear, try and pass Sentence of Death, or otherwise, as they see Occasion, against such Offenders. The Legislature here consists of two Parts only, the King's Representative and the Representatives of the People, without any middle State, resembling the House of Lords, between them; and neither of the Branches of the Legislature of this Province have any other Powers or Jurisdictions but those which are expressly delegated and granted them. Admitting therefore, for Argument Sake, the Words of the Charter and Law of the Province, you refer to, in their full Latitude and Extent, which are, *that the Assembly shall have Power to chuse a Speaker, and other their Officers; and shall be Judges of the Qualifications and Elections of their own Members, sit upon their own Adjournments, appoint Committees, prepare Bills, in order to pass into Laws, impeach Criminals, and redress Grievances; and shall have all other Powers and Privileges of an Assembly, according to the Rights of the freeborn Subjects of England, and as is usual in any of the King's Plantations in America*; yet it does not follow, that the Governor of the Province has the Power of hearing, trying and passing Sentence on such Impeachments. No such Jurisdiction is given him by the Words of the Charter, or elsewhere, that I can find, on the strictest Scrutiny. Nor does it seem to me for the Security of the Lives and Liberties of the good People of this Province, that their Governor alone, or any one Man living, should be invested with so high a Trust. Power has in it great Allurements, and, when offered, is seldom refused; but I have the Pleasure to find, that a preceding Governor of this Province had Virtue enough to decline acting as a Judge in a Case of Impeachment under the present Charter.

'Be pleased to remember, Gentlemen, that the Freedom

and Happiness of an *Englishman* consists, in a great Measure, in the most inestimable Privilege of being tried by his Equals, in every Case that affects his Life, Liberty, Character or Fortune, and that to deprive him of that Right against Law, or without clear Law, is the highest Injury that can possibly be done him; and that whoever in such a Case, under an *English* Constitution, takes away the Life of a Subject, is answerable for his Blood, and guilty of Murder. These Considerations, among others, have such Weight with me, that I dare not accept of the Power you offer me as the sole Judge in Impeachments, till it is demonstrated to me, that the Law has invested me with it; when that is done, I will chearfully comply with what my Duty requires of me; but till then, you will excuse me, if I decline any such Jurisdiction, lest I may justly subject myself to the Charge of establishing a new Judicature, usurping an illegal Power, infringing the Liberties of the People, and, in short, of subverting the Constitution.

'Permit me now to remind you, Gentlemen, that the Defence and Protection of this Province, greatly depends on your attending, without Loss of Time, to the several weighty Matters recommended to you in my Messages of the Seventeenth of *October*, and Third of this Instant; and therefore I again most earnestly entreat you, that every Consideration of less Moment, and public Concern, may in your Deliberations give Place to them, that you will defer all other Matters to more Leisure, and convenient Season.

January 13, 1758.

WILLIAM DENNY."

Then the House adjourned to Nine o'Clock To-morrow Morning.

January 14, 1758.

The House went upon the Consideration of the Governor's Message, sent down by the Secretary last Night, and the same being read, and debated,

Ordered, That Mr. *Fox*, Mr. *Baynton*, Mr. *Galloway*, Mr. *Masters*, Mr. *Smith*, Mr. *Strickland*, Mr. *Gibbons*, Mr. *Ashbridge*, Mr. *James Wright*, Mr. *Carpenter*, Mr. *John Wright*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to prepare and bring in an Answer to the Governor's Message.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

January 16, 1758.

The House met, pursuant to their Adjournment.

The Committee appointed to prepare an Answer to the Governor's Message, reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read, and considered by Paragraphs, after some Amendments therein, was agreed to, and ordered to be transcribed.

Then the House adjourned to Nine o'Clock To-morrow Morning.

January 17, 1758.

It appearing, from the Sheriff's Return for the County of *Bucks*, that *Jonathan Ingham*, Esq; was duly elected on the Thirteenth of this Instant, to serve in Assembly for the remaining Part of this Year, in the Room and Stead of *John Abraham Denormandie*, Esq; lately deceased, the said *Ingham* took and subscribed the Qualifications appointed by Law to be taken by the Members of Assembly, and then took his Seat in the House accordingly.

The Answer of the House to the Governor's Message being transcribed, was read, signed by Mr. Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WE cannot help expressing our Surprise, that you should be at a Loss to "conceive what could give Rise to our Apprehensions, that you had attempted to establish a new Court of Judicature, unknown to the Constitution." For the Cause we think we could safely appeal to your Honour's Heart, but we know we can to your Expressions. In your Message of the Ninth Instant, you expressly inform us, "that common Justice required that no Man should be condemned unheard in any Matter that affected his Life, Fortune or Character, and therefore declared your Design of giving *William Moore* an Opportunity of making his Defence." That "from the Moment you received the Address of the late Assembly for his Removal, you were determined on a full and close Enquiry into the Charges against him, to make a public Example of him as far as your Power extended." And that "to that End you had appointed the same Day for hearing all the Proofs in the Case, after due Notice given to the Parties and their Witnesses," and "accordingly attended with your Council in the Council Chamber." Certainly, we should be

incredulous indeed, and very defective in our "Apprehensions," did not these positive Declarations prevail on us to believe you did attempt to set up a new Judicature; and had not our Serjeant at Arms, for a very high Misdemeanor, arrested the Person intended to be tried, that Attempt had been fully executed. If the issuing Process to convene the Parties before your Honour, and your Council, the giving of Orders for the Summoning of Witnesses by the Sheriff and his Deputies, in order to "hear all the Proofs in the Case," and thereupon to acquit or condemn the Person charged, and a Meeting at the Council Chamber for that Purpose, are not evident Proofs of such Attempt, we leave the Impartial to determine.

These are what your Honour calls "proper Steps," to enquire into the Truth of the many Petitions against "*William Moore*;" though you are pleased to declare, "that you could not be so absurd as to suppose you had a judicial Power to Arraign, Try, Condemn and Punish." If you did not intend to arraign, why was the Party charged to come before your Honour and Council? If not to try or judicially determine, where was the Use of Witnesses? If not to condemn or acquit, what could you mean by the Intimation, "that no Man should be condemned unheard?" If not to punish, how could you make a "public Example of him?" Or if no judicial Determination was to be had thereon, what could be the Design of "hearing the Proofs," and "giving the Party an Opportunity of making his Defence?"

As to the Propriety of these "Steps," we beg Leave to remark, that they are not supported by our Charters, or the Laws of the Constitution, nor by any Precedent in our Mother Country; and have a Tendency to institute an Authority, never attempted by our gracious Sovereign, or any of his Councils.—"Steps," that may be of dangerous Consequence to the Lives, Liberties and Properties of the People; and should your Honour and Council pursue them, we know not where they may end: For if you and your Council may, without the Shadow of Law, institute a "full and close Enquiry," at which you are to hear all the Proofs, and examine the Witnesses upon Oath, "give the Party charged an Opportunity of making his Defense," and of being "acquitted" or "condemned," in this Case, you may with the same Kind of Reason and Degree of Law, do it in every other; and at last determine not only Matters which affect the Properties, but the Liberties and Lives of the Subject, and that without the Security which ever must attend an antecedent Trial before,

and Impeachment by, the Delegates of the People. Wherever a Person in a judicial Capacity breaks over the Verge and Confines of Law, he may rove in the Field of Oppression, and never stop, his Power becomes transcendent and unconfined indeed. Your Honour will therefore excuse us for thinking, that in the Establishment of a Power so unlimited, the Lives, Liberties and Properties of the People are very intimately concerned, and may be more essentially affected than where they cannot be tried but by the Impeachment of their Representatives.

We have again considered, and still persist in, our Request, that you would either remove *William Moore* from his public Offices, or permit us to impeach him of the many heinous Misdemeanors charged against him, some of which are not cognizable in the ordinary Courts of Justice. We have no Doubt respecting our Right to impeach; nor are we obliged to your Honour for admitting it, "for Argument Sake" only. The Charter of Privileges, and a Law of the Province, are declarative of it, in too explicit Terms, to admit of the least Doubt with the meanest and most prejudiced Capacity; and we still are of Opinion, that your Honour ought to determine on such Impeachment. By the Royal Grant the Governor and Assembly here are constituted the two Branches of the legislative Authority; the one holding his Power under the Crown, the other deriving their Authority from the People, and a Negative on our Laws is reserved in the Crown; each of which, we agree, "have inherent in them distinct Prerogatives, Privileges, Powers, and Jurisdictions, founded in the Nature of their Institution, and the Principles of an *English* Government;" and that to the Powers of each are annexed certain Requisites, not expressly granted by the Royal Charter, which are to be exerted occasionally for the necessary Support and Exercise of their respective Jurisdictions, for the Peace and Safety of the Province. The Governor here may be deemed to supply a middle State, and from the Nature of his Institution must be invested with these Powers and Requisites, and we apprehend ought, and was intended, to supply the Place of an House of Lords in an inferior Degree, with respect to hearing and determining on Impeachments. This cannot be denied, consistent with the Freedom and Principles of an *English* Government, where the Right of the Commons to redress Grievances is one of the most essential Checks in the Constitution. Without this Power in the Governor, there must be a manifest Failure of Justice. The Proprietary Officers, and

others, may be guilty of the most atrocious Offences, not cognizable in the ordinary Courts of Justice, and the Government will be destitute of the Means of punishing them; which would be such a Defect in our Constitution, that common Sense forbids the Supposition. Of this Opinion was a former Assembly of this Province on the like Occasion; where they assert, that "the Power of impeaching Criminals is incident to the legislative Authority, for the common Safety, and that the Ends of Government cannot be answered without it." And in Pursuance of this Opinion, they *Resolved*, *N. C. D.*

First, "That the present Constitution of this Government, which vests the legislative Authority in the Governor and Representatives of the People of this Province, does well warrant us to impeach, and the Governor to judge of such Impeachments."

"Secondly, That the Council having, by our Constitution, no Share in the legislative Authority, ought not to sit with the Governor judicially upon such Impeachments."

But your Honour is pleased to say, that "no such Jurisdiction is given you by the Charter, or elsewhere, that you can find."—We agree that it is not "expressly," but contend, that it is implicitly granted to you, as the middle State of our Legislature, and "founded in the very Nature of your Institution." If you have no other Powers or Jurisdiction "but those which are expressly delegated and granted," by Virtue of what express Authority or Delegation has your Honour, and your Predecessors, assumed to yourselves the Right and Power of altering and amending Bills passed by the Assembly, and of putting an absolute Negative on them, with other Powers and Rights, belonging to the House of Lords alone, and no more expressly granted than the Power of judging on Impeachments? It cannot be by Virtue of your Representation of the Crown; because his Majesty never exercised such Powers. And therefore we confess we cannot understand why you should be so fond of assuming the one, and fearful of the other. We hope it cannot proceed from an Inclination to screen wicked Ministers from Justice, and to render ineffectual an essential and invaluable Power of the Constitution.

We beg Leave further to remark, that the Governor's assuming a Power to determine on the Impeachments of the Assembly, cannot be attended with the least Insecurity "to the Lives and Liberties of the People." But, on the contrary, the Invaders of their Liberties, and their Oppressors, by this Means will be brought to Justice, who otherwise would oppress on

with Impunity, and the distressed Subject be without Redress. Your Honour will remember, that antecedent to any Impeachment before you, the grand Inquest of the Province, the Representatives of the People, his Peers and "Equals," must be made sensible of his Guilt. A Sheriff may be corrupted, a Jury packed, a Court who hold their Commissions during Pleasure may be influenced; but it is unnatural to presume that the Representative Body of the People should be partial, corrupted, or do Injustice. Besides, your Honour has the same Power, which you are so fearful of assuming, whenever a Bill of Attainder or Disability is presented for your Approbation; and in that Case the "Lives, Liberties and Properties" of the People are as much in your Hands as in the Case of Impeachments; with this Difference only, that in the first you may determine on the Report of the Assembly only, but in the latter there must be a judicial and solemn Hearing.

We are sorry we cannot see the "Virtue" of refusing to determine on the Impeachment of the Assembly, any more than that of instituting a new Court of Judicature, without their Assent. The Instance you give us of a preceding Governor's "Virtue in declining to act as a Judge in a Case of Impeachment," must certainly arise from your not being acquainted with his Character.—He was a Gentleman remarkable for being destitute of every Virtue, either moral, political or religious. The Government was in a continual Ferment during his whole Administration: The Rights of the People in perpetual Jeopardy by his arbitrary and unjust Invasions. He was charged by the Assembly with being guilty of "frequent and notorious Excesses and Debaucheries, not fit to be rehearsed," and that his Behaviour was "offensive to God Almighty, dishonourable to the Queen, and encouraging all Manner of Wickedness;" and, upon their Complaint, removed from his Government. Whence we are induced to believe that this Gentleman's declining to determine on Impeachments, did not proceed from any Disrelish he had to Power, or from his Virtues, either public or private, but from a determined Resolution to protect a Favourite.

Had your Honour, upon the Address of the late Assembly, founded upon the most impartial Enquiry, paid that Regard to it, and the Examinations of many disinterested Witnesses laid before you, which we humbly conceive you ought to have done, and removed *William Moore*, this Dispute about your Power to determine on Impeachments had not happened: But, may it please the Governor, when we perceive you are deaf to the

Address of that Assembly, regardless of the Affidavits laid before you, instituting a new Court of Judicature for his Trial without the Assent of the Representatives of the People, and in the mean Time permitting him to exercise all the Powers of his Offices, and the Means of his former Oppression, to the great Terror and Anxiety of the People, who continue to exhibit to this House fresh Complaints against him, we cannot be silent. We beg Leave to say, it is usual with the Crown to remove wicked Ministers on the Address of the Commons, sometimes when that Address is founded on Rumour only, and often when on an Examination before the House.—And a former worthy Governor of this Province, when he was about to pass a Bill of Disability, required no other Satisfaction of the Guilt of the Person, than what he collected from a Conference with a Committee of Assembly. It is well known, that the Complaints against this Gentleman are not of a late Date only, your Honour is the third Governor to whom the People have applied for Redress against his Oppression; but as yet remain without Relief.

We therefore entreat your Honour to consider, that the principal Powers of our Assemblies are, those of making Laws, granting Aids to the Crown, and redressing the Grievances and Oppressions of the People. The first, you well know, is highly invaded, and greatly diminished, by arbitrary Proprietary Instructions, now in your Possession, which you have declared you are bound to obey. The second has been greatly violated by the frequent and constant Amendments in our Money Bills, directing the Assemblies as to the Manner, Measure and Time of granting Supplies; insomuch, that though they have not admitted such Amendments, yet they have often been necessitated, for the Preservation of the Country, to frame new Bills agreeable to them. And should your Honour persist in refusing to remove *William Moore*, on the Address of the late Assembly, and the earnest Solicitations of this, and will not exercise your Power of determing on the Articles of Impeachment, we are ready to exhibit against him, the third and last, that of redressing Grievances, will in a great Measure be rendered ineffectual: A Failure of Justice must ensue in the Government: Wicked Ministers and Magistrates may oppress the Subject, and distress the Poor, with Impunity: That important Check in the Constitution, on the Actions of wicked Officers, who hold their Commissions during Pleasure, will be wanting: The three only essential and important Branches of the Assembly's Authority will be manifestly violated: The whole Powers of the Constitution be vested in

the Hands of the Governor, and our excellent mixt Frame of Government totally dissolved.

Under these Circumstances we entreat your Honour would consider with what Spirit or Pleasure can the Assemblies of this Province give, or the People pay, their Aids to the Crown. We are faithful and loyal People, solicitous of assisting in the general Defence of *America*, as well as in that of our own particular Province; we are willing and ready to grant Supplies, if our Governors would leave us the Possession of any Thing worth defending. Redress our Grievances, relieve our Fellow-Subjects from Oppression and Slavery, restore the Constitution, and every Thing your Honour can reasonably ask, will be chearfully granted.

Signed by Order of the House,

January 17, 1758.

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait upon the Governor, and deliver the foregoing Answer to his Message of the Thirteenth Instant.

The Members return and report, they had delivered the same according to Order; and that his Honour was pleased to commit to their Hands, in Writing, a Correction on his last Message to the House, which was read, and is as follows, *viz.* "After the Words [*and the Principles of an English Government.*] the Word [*Hence*] should have begun the next Sentence, but in transcribing is omitted. I desire it may be inserted in my Message."

The House taking into Consideration the Mode of conducting the Trial of *William Smith*, after some Debate thereon, the following Questions were put, *viz.*

First, Whether the Counsel for said *Smith* shall be allowed to dispute the Power and Authority of this House to enquire into, and punish Persons guilty of, Libels against the Government?

Resolved in the Negative.

Secondly, Whether the said Counsel shall be allowed to shew the Address of *William Moore* to the Governor is not a Libel, in Contradiction to the Judgment and Resolves of this House?

Resolved in the Negative.

Then the House adjourned to Three o'Clock, *P. M.*

Mr. *Smith*, with his Counsel, being called in, was acquainted, that he was now brought before the House to answer to the

Charge exhibited against him, of being a Promoter and Abettor of the Writing and Publishing a Libel, entitled, *The humble Address of William Moore, &c.* which was thereupon read.

Mr. *Ross*, Counsel for the said *Smith*, then begged Leave to be allowed, in the Course of his Defence for the Prisoner, to enquire chiefly into the three following Points, *viz.* *First*, What Authority this House has to take up Persons for writing and publishing Libels against a former Assembly? *Secondly*, How far the Paper Mr. *Smith* is charged with being an Abettor of, is a Libel?—And, *Thirdly*, Whether the said *Smith* can be proved to be an Abettor and Promoter of the same?—As to the two first Heads, Mr. Speaker acquainted the Counsel, they were not at Liberty to enquire into, or controvert, them, because inconsistent with, and contrary to, certain Resolves, which the House had previously entered into.

The House then proceeded to the Examination of Witnesses before the said *Smith* and his Counsel; and, having spent much Time therein, adjourned to Ten o'Clock To-morrow Morning.

January 18, 1758.

Mr. *Bradford*, Printer, attending, agreeable to Order, was called in, and being asked, whether he had found the Manuscript delivered to him by *William Moore* for printing his Address from, and declared to be lost, in the said *Bradford's* Examination before the House, replied, he had made a careful Search for it, but could not yet find it, and was apprehensive he might have sent it to Doctor *Phineas Bond* with the Proof Sheet, but upon Enquiry of the said *Bond*, he was informed he had not got it. He further acquainted the House, that the said Manuscript seemed to him to be wrote in a Clerk's Hand, large, fair and upright, without any Interlineations in it; whereupon being directed to make further Search for the said Manuscript, and when found to produce the same forthwith to the House, he promised so to do, and was ordered to withdraw.

Mr. *Smith* and his Counsel being then admitted, the House proceeded to the Examination of Mr. *Levers*, which the Clerk having taken down in Writing, they adjourned to Three o'Clock, P. M.

The House went next upon the Examination of Mr. *Hanshaw*, and then called in Mr. *Armbruster*, a German Printer, who seeming to prevaricate, and decline to answer a certain Question repeatedly put to him,

Ordered, That the said *Armbruster* be committed to the Custody of the Serjeant at Arms for a Contempt to this House, in prevaricating in his Testimony, and refusing to answer in a Case wherein he was produced as a Witness; and that the said Serjeant do not permit any Person whatsoever, either directly or indirectly, to converse with, or speak to the said *Armbruster*, till further Orders from this House.

Messieurs *Hall* and *Bradford*, the last Evidences brought in, were called for by the Prisoner, first examined by the House, and then cross-examined by his Counsel: After which the said Counsel desired the Favour of the House, as he had not taken down the several Examinations of the Witnesses at Length, that they would allow him Copies thereof, (upon paying the Expence of transcribing) as the same had been taken by their Clerk, and grant him Time to consider and sum up the Evidence.

The Prisoner, with his Counsel, were then directed to withdraw, and the House taking the Request of the latter into Consideration,

Ordered, That the Clerk do make out Copies of the said Examinations, to be delivered to the Counsel for the Purpose requested.

Then the House adjourned to Three o'Clock To-morrow Afternoon.

January 19, 1758.

The Clerk having made out Copies of the several Examinations taken before the House, and the same being compared at the Table,

Ordered, That the Clerk deliver the said Copies to the Counsel for the Prisoner.

Mr. *Armbruster*, committed Yesterday to the Custody of the Serjeant at Arms for a Contempt, was again called to the Bar of the House, and having asked Pardon for his Misbehavior, and given direct and categorical Answers to the Questions before put to him,

Ordered, That he be discharged from the Custody of the Serjeant at Arms, paying the Fees arising on his Confinement.

The Counsel for Mr. *Smith* having been called in, to be present at the Examination of this last Witness, and to cross-examine him, after the said Witness was dismissed, begged to be allowed a little Time to consider and sum of the Evidence before the House came to a Determination; wherefore,

Resolved, That the Counsel be allowed for the said Purpose till *Saturday* next, at Ten o'Clock in the Morning.

Then the House adjourned to Four o'Clock To-morrow Afternoon.

January 20, 1758.

The House taking into Consideration the Expences likely to arise on the Confinement and Trial of *William Smith*, and the Fees to be allowed to the Officers of this House, for their extraordinary Trouble therein,

Ordered, that Mr. *Fox*, Mr. *Strickland*, Mr. *Carpenter*, Mr. *John Wright*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to consider and settle the said Fees, and report the same to the House.

Then the House adjourned to Nine o'Clock To-morrow Morning.

January 21, 1758.

The Committee appointed to regulate the Fees of the Officers of the House, reported, they had made some Progress therein, and desired further Time for consulting Precedents, and completing the same.

Agreeable to the Appointment of this House, *William Smith*, attended by his Counsel, was admitted to the Bar, and the said Counsel having summed up the Evidence, and offered such Arguments thereon as they judged necessary, they were ordered to withdraw.

And three particular Members of the House apprehending that the Counsel for Mr. *Smith*, in the Course of their Animadversions on the Testimony of Mr. *Hall*, had endeavoured to criminate them, by insinuating they had promoted and advised the Publication of the libellous Paper, entituled, *The Address of William Moore to the Governor*, and that in Consequence of such Publication in the *Pennsylvania Gazette*, it had been taken into the *German News-paper*, the said Members desired Leave to withdraw from their Seats, and submit their Conduct on that Occasion to the Judgment and Determination of the House, praying, that if they should be found culpable, they might receive the Censure of the House accordingly; but if not, that the House would acquit them of the Charge.—They were permitted to withdraw accordingly.—And the House taking into Consideration the Charge against the said three Members, after some Debate thereon, the following Question was put, *viz.*—Whether the three Members with-

drawn, are deserving of any Censure from this House on Account of what passed between them and *David Hall*, Printer, respecting the Publication of *William Moore's* Address to Governor *Denny*?—And the same was resolved in the Negative, *N. C. D.* (one Voice only excepted.) The said Members were then called in, and, by Order of the House, acquainted from the Chair, that the House highly commended them for the prudent Caution they had given Mr. *Hall* concerning the Publication of the said Address, and for the due Care they had taken at the same Time to guard against any Encroachment on so useful a Privilege as the Liberty of the Press.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

January 23, 1758.

The House met, pursuant to their Adjournment.

A Petition, from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, praying that *William Smith* may be admitted to Bail, and offering to enter into proper Recognizance in whatever Sum the House in their Wisdom and Clemency shall think it reasonable to demand.

Referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 24, 1758.

The House taking into Consideration the Amount of the Evidence exhibited in the Course of the late Trial of *William Smith*,

Resolved, N. C. D. That no Part of *Robert Levers's* Testimony, respecting the Similitude of Hands, is Evidence, or ought to have any Weight in the Determination of the Guilt or Innocence of *William Smith*.

After full Consideration of the whole Evidence, and some Debate thereon,

Resolved, by a great Majority, That the said *William Smith* is guilty of promoting and publishing the libellous Paper, entitled, *The Address of William Moore to Governor Denny*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 25, 1758.

Upon Motion by Mr. *Roberdeau*, That he be excused from his Attendance on the House till To-morrow Morning,

Ordered, That the said Member be excused accordingly.

The House then proceeded to the Consideration of the Case of *William Smith*; and, after some Time spent therein, the following Question was put, *viz.* Whether the said *Smith*, for promoting and publishing an infamous Libel, entitled, *The humble Address of William Moore, &c.* shall be committed to the Goal of this County, there to remain till he shall give Satisfaction to this House for the said Offence?

Resolved in the Affirmative.

The Governor, by the Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I HAVE taken into Consideration your last Message, not less remarkable for the great Freedom with which you are pleased to treat my Character, than the Strangeness of the Doctrines contained in it, and the weak Arguments brought to support them. In my Message of the Thirteenth Instant, I flattered myself, I had demonstrated to you and all the World, that your Apprehensions of my having a Design to establish a new Court of Judicature (in the Steps taken by me on the late Assembly's Address to remove *William Moore* from his public Offices) were groundless and unjust, and I solemnly disclaimed any such Intention. But, to my great Astonishment, I find a considerable Part of your Message is taken up with trite Questions and Reasonings, tending to shew that I actually had such a Design; and you do not scruple to assert, *that had not your Serjeant at Arms, for a very high Misdemeanor, arrested the Person intended to be tried, that Attempt had been fully executed.* In this you take upon you to charge me with a direct Falshood.

'I should be unworthy indeed of the Commission I have the Honour to bear under his Majesty, tamely to suffer such an Indignity, without thus publicly expressing my Detestation of the Charge, and the just Resentment with which an honest Heart must necessarily be inspired against the Authors of it. Had any one offered a like Affront to you, Gentlemen, we, no Doubt, should have heard enough of Breach of Privileges; but, for ought I know, you may claim a Right of vilifying and abusing your Governors, as one among the many boasted *Powers and Privileges of the Constitution* you have lately discovered.

'The last Assembly, in their Address against *William Moore*, only desired that I would remove him from his Offices, on a

Supposition, I presume, that he was guilty of the Crimes laid to his Charge. It is not easy to conceive you could think, Gentlemen, that I would take this Guilt upon Hear-say, nor yet upon a Number of *ex Parte* Depositions, taken in the Absence of Mr. *Moore*, who I know was not heard in his Defence before the House, nor any of his Witnesses examined on his Behalf. It was my Duty to give him and his Accusers a full Hearing Face to Face. I appointed a Day for that Purpose, and, from the whole Tenor of my Conduct in that Affair, I am persuaded that no impartial Person can be induced to think I had any Thing in View but a full Examination of Witnesses, to satisfy my own Conscience whether he was a fit Minister of Justice, and worthy any longer to enjoy the Commission he bore under this Government; without taking such Steps, I might have been deemed *arbitrary* indeed. This is a Method that since my Arrival in this Government I have taken, where Complaints have been made to me against Justices of the Peace, one of whom I have actually removed in Consequence of such Enquiry, and it is further supported by the Practice of preceding Governors, to the great Ease and Satisfaction of the People, who have repeatedly expressed their Acknowledgements for the Trouble their Governors have taken, and the Justice done the Public in such Cases. Resting therefore under this Persuasion, and a Consciousness of the Rectitude and Sincerity of my own Intentions, I shall take no further Notice of the unprovoked Abuse, and ill Treatment of me, in the first Part of your long Message.

‘It is very disagreeable to me, Gentlemen, that I am laid under the Necessity of saying so much; I can truly declare, that I met you in Assembly determined to avoid, if possible, any Differences with you; and, notwithstanding the Ignominy with which you have attempted to load me, I still think myself indispensably obliged so far to suppress my just Indignation, as that it shall have no Influence on my public Conduct with you, or interfere with that Duty I owe to his Majesty, and the good People he has been pleased to commit to my Charge.

‘I have very closely attended to that Part of your Message, wherein you endeavour to manifest my Right, under the Charter and Laws of the Province, to sit at a Court of Judicature on Impeachments, and am so far from changing my first Opinion, that I am still more confirmed in my Judgment, that such a Power would be usurped by me, and the Act

arbitrary in the highest Degree. You agree with me, that in the Mother Country the House of Lords, which is the middle State between the King and the Commons, hath the sole inherent Power of trying Impeachments, and that the Legislature of this Province consists of *two Branches*: You then add, that the Governor here may be deemed to supply the Place of a House of Lords, "*in an inferior Degree*," and contend, *that though the Power of trying Impeachments is not expressly, yet it is implicitly, granted to the Governor of this Province, as a middle State of your Legislature, and founded in the Nature of your Institution.*

'I must confess, Gentlemen, that your Method of reasoning on this Occasion is very dark and mysterious; a *middle State* in a Legislature consisting of *Two Estates* only, or an *intermediate* Term between *Two* that admit of no *Third*, is to me incomprehensible. Arguments founded on no better Proofs than what you may deem might be the Intent of the Charter; forced Constructions, and strained Implications of Powers meant to be granted, will weigh but little with me in a Case so important and interesting as this is to the Lives and Rights of his Majesty's Subjects. Nay, if the Proprietary Charter was ever so express on this Head, yet it might perhaps with great Reason be questioned, whether, under the Royal Grant, the Proprietary could subject *Englishmen* to this Mode of Trial, before a single Person, acting at once in the several Characters of a Judge and Jury, so very different from any known to the *British* Constitution. At present, however, there is no Occasion to go into the Discussion of this Point, as you acknowledge, that neither by Charter or Law, the Governor has such a Power expressly delegated to him.

'But you are pleased to say, that you propose to vest your Governor with the Power of a House of Lords only *in an inferior Degree*. This is a Mode of Expression as unintelligible to me as some of your former ones. The *Power*, Gentlemen, necessary to any Judicature, or public Body as such, is indivisible in its Nature; it cannot be parcelled out into Parts; or if it could, I can hardly look upon you as the Dispensers of it. If a Governor could once persuade himself, that it is necessary for the Safety and Peace of this Province, that he should exercise the Power of a House of Lords in one Case, he may in another; and if you consent to his exercising one Degree of that Power, he may think himself intitled to claim and exercise the Whole; and by this Means may bring all Causes, both Civil and Criminal, before him in the last In-

stance, as is the Case in the House of Lords, which is the last and highest Court of Judicature in the Kingdom. *Power*, Gentlemen, once granted, is hardly ever to be regained; and should I depart so far from my Duty as to accept of the extraordinary Power you now press upon me, or could I think any Governor or single Man would be permitted by the *British* Legislature to enjoy both the Powers of the Crown, and of the House of Lords, in these Colonies, you and your Posterity might, perhaps, long have Reason to repent the Rashness of the Offer. Will it not, Gentlemen, appear very extraordinary in the Eyes of all Men, that you, who have been denying your Governors the constitutional and essential Power of a Voice in the Appropriation of the Public Money, and the Right of appointing Militia Officers, should now, all at once, desire to invest me with a Power over the Lives, Liberties and Fortunes of your Constituents, without the Aid of Juries, or the common Proceedings of Justice. Such a Power may be safely vested in so numerous and august a Body as the House of Peers, whose independent Stations and high Characters set them far above Corruption or Party Views: But in the Hands of a single Man, Gentlemen, it might prove of ruinous and dreadful Consequences.

‘That your Constitution is defective in many Respects, I shall not dispute with you, but undoubtedly this would not be the Way to mend it. For my Part, I have nothing in View but to exercise the little Share of Authority it gives me, and to leave its Defects, where it has any, to be amended by the Wisdom of our Superiors.

‘The Instance you give of a former Assembly’s being of Opinion, that they had a Right to impeach, and the Governor to judge of such Impeachments, is no better Proof than your own Opinion. It is a Rule, that long Custom and Usage are the best Expositors of every Law, and of the Sense of those who framed it; and in this Case, it is very remarkable, that you do not offer to produce a single Instance, since the Date of the present Charter, where a Governor of this Province has dared to exercise the Jurisdiction you offer me, though greatly tending to aggrandize himself.

‘On the contrary, I mentioned to you a former Governor of this Province, who had *the Virtue to refuse a like Offer*, and for that Reason you fall upon his Memory in the bitterest Terms of Reproach, declaring him *destitute of every Virtue, moral, political or religious*, and alleging in Proof thereof, that he was *charged by the Assembly with a Behaviour offen-*

sive to God Almighty. If the Charges, Gentlemen, which are made by the Assemblies of this Province against their Governors could be admitted as any Proof of their Guilt, it has been our Misfortune, that this Province has scarcely had an honest or good Governor in it. Mr. *Evans*, in all his Writings, shews himself to have been a Gentlemen of Learning; and we know that he was supported in this Instance by the Advice and Assistance of an able Council, and a Judge, famous for his Integrity, and his Abilities in the Law. His Messages prove that he had *political* Virtues; and whatever you may be pleased to allege to the contrary, the Refusal mentioned above will ever be an Instance of his *moral* Virtue.—Almost every civilized Nation suffer their *Dead* to rest in Peace: And surely, Gentlemen, it may be enough for you, that you can use an unbounded Freedom in calumniating your *living* Governors. without raking into the Ashes of those who *are no more*.

‘But you are pleased to remark further, that a Governor’s *assuming a Power to determine on the Impeachments of the Assembly, cannot be attended with the least Insecurity to the Lives and Liberties of the People, but will, on the contrary, be the best Means of bringing to Justice those who oppress the Subject.*—A *Sheriff*, say you, *may be corrupted, a Jury packed, a Court who hold their Commissions during Pleasure may be influenced, but it is unnatural to presume that the Representative Body of the People should be partial, corrupted, or do Injustice.* Is it possible, Gentlemen, that you, who consider yourselves as the Representatives of Freemen and *Englishmen*, can be serious in these Opinions? Can you be really desirous to destroy at once the great Bulwark of *English* Liberty, and throw an Odium upon Trials by Juries, and the Judgment of our Peers, that inestimable Privilege purchased and preserved by our Fathers at so great a Price; and which neither ought or can be taken away by implied Constructions? If it be unnatural to presume that the Representative Body of the People, who do not act under the Tie of a particular Oath, should be *partial, corrupted, or do Injustice*, is it not yet more unnatural and uncharitable to suppose that in any Cause depending in a Court of Justice, a *Sheriff*, who, as well as yourselves, in this Province, is elected by the People, *may be corrupted, a Jury, against whom the indulgent Law gives the Party charged every just Cause of Challenge, packed, and a Court Influenced*; all of whom, it is further to be observed, discharge their several Duties under a particular and solemn Qualification and Oath?—What Man would not rather trust his Cause to a Number of his Neigh-

hours, and Equals, chosen and sworn for that particular Purpose, than to any standing Body whatsoever, whose Powers may be stretched to any Extent, being *uncontroulable and undefined* by any express Law?

'Upon the Whole, Gentlemen, give me Leave to tell you, once for all, that I neither will consent to take upon me the Powers you offer, nor yet to remove Mr. *Moore* from his Offices, without a full Hearing, in order to satisfy myself of the Truth of the Charges against him, agreeable to the Practice of all preceding Governors of this Province on Complaints exhibited against Justices of the Peace. It will therefore be in vain for you to spend the public Time in any farther Debates or Overtures on this Head. The late Assembly were so far from thinking such an Enquiry unreasonable, that at my Instance, they furnished me with Copies of the Petitions and Evidence exhibited in their House against him in his Absence; and it is entirely owing to your sudden and unexpected Determination of changing the late Assembly's Address to remove Mr. *Moore* into Articles of Impeachment, and your Confinement of his Person, that Mr. *Moore*, if guilty, is thus long continued in his Commission. Had you permitted the Enquiry I proposed to go on, it would have been brought to a Conclusion before now, the Public would have been fully satisfied, and a great deal of Time and Expence saved to the Province. What may have been your Motives in this Part of your Conduct, I will not say, but must confess they appear to me very extraordinary.

'You are quite mistaken in asserting, that *a former worthy Governor of this Province, when he was about to pass a Bill of Disability, required no other Satisfaction of the Guilt of the Person, than what he collected from a Conference with a Committee of Assembly.* The Council Books, which have been inspected on that Occasion, plainly shew, that the Person, against whom the Bill was preferred, was called before the Governor in Council, the Matter fully heard, and the Governor satisfied of the Truth of the Facts set forth in the Bill, previous to his passing it.

'A Governor must be made a very insignificant Person indeed, if he was obliged to yield implicit Obedience to the Address of an Assembly, which, as you say, *may, sometimes be founded on Rumour only*, to remove or continue what Officers they think proper, without satisfying his own Mind as to the Guilt or Innocence of the Persons. It is remarkable, that you have formerly put it among the List of your Griev-

ances, that the Judges and Magistrates hold their Offices during the Pleasure of a Governor; and now you desire that they should hold them during your Pleasure, and be continued or discarded agreeable to your Directions; which must be the Case, if they are to be removed on your bare Remonstrance against them. My Motive for refusing the Power of judging on Impeachments, does not arise, as you insinuate, from any Desire in me to screen Mr. Moore from Justice; he is a Gentleman with whom I have not the least Acquaintance, nor is he so much as personally known to me.

'You conclude, Gentlemen, by calling on me to *redress Grievances, to relieve your Fellow-Subjects from Oppression and Slavery, to restore the Constitution*, and then you promise that *every Thing I can reasonably ask will cheerfully be granted me*. Gentlemen, if your Constituents feel the Weight of any Grievances, I will cheerfully join in doing every legal Act in my Station to redress them; but beyond the Limits of my just Power I never will venture to go. I have neither oppressed or enslaved your Fellow-Subjects, or invaded the Constitution; when I am convinced of the contrary, I shall think it my Duty, independent of any other Consideration, to exert myself by all Means in my Power, to apply a Remedy adequate to the Evil.

'You will suffer me, Gentlemen, to call on you in my Turn, if *you are that loyal and faithful People you profess to be, solicitous of assisting in the general Defence of America, as well as in that of your own particular Province*, to give some immediate Proof thereof. Proceed to grant the necessary Supplies for the current Year; frame and pass effectual and constitutional Bills to establish a Militia, and regulate the *Indian Trade*; attend to the several weighty public Matters I have repeatedly recommended to you in my former Messages, and consider how unbecoming it is to neglect these great Services, and employ yourselves in new Heats and Disputes, at a Time when public Danger surrounds us on every Side, and our vigilant Enemies, *who indeed threaten us with Oppression and Slavery*, are every Moment preparing to renew their Cruelties and Barbarities on the Inhabitants of this and the neighbouring Colonies; and unless Measures are speedily taken to defeat their wicked Schemes, may too soon accomplish that Ruin, from which nothing but Union, and a vigorous Exertion of our natural Powers, can save us.

January 24, 1758.

WILLIAM DENNY."

Then the House adjourned to Three o'Clock, P. M.

William Smith, with his Counsel, attending according to Notice, were ordered in, and Mr. Speaker acquainted Mr. *Smith*, that the House having found him guilty of promoting and publishing a Libel, entitled, *The Address of William Moore to Governor Denny*, had therefore ordered, that he be committed to the common Goal of the County, there to remain till he shall give Satisfaction to this House for the said Offence.

The Counsel for Mr. *Smith* then moved, that he might be allowed the Privilege of an Appeal to the King and Council, from the Judgment of the House, which they conceived him entitled to, as well from the Royal Charter, as a Law of the Province; and further begged that the Prisoner might be furnished with Transcripts of such Minutes and Resolves of the House, as had been made during his late Trial, or in Consequence thereof; and then acquainted Mr. Speaker, that Mr. *Smith* was ready to give any Bail or Security the House might demand, during the Prosecution of the said Appeal.

The House, after some Time spent in considering the Words of the Royal Grant, and the Law of the Province, referred to by the Council, were of Opinion, that no Appeals were intended to be directed by either to the King and Council from Judgments of the House of Assembly, relating to Breach of Privilege, and Contempt to the House, but only from those of the inferior Courts, relative to Matters of Property; and acquainted the Prisoner, that, upon making the Submission required by the House, he would be under no Necessity of giving Bail to prevent a Commitment.—To which the said Prisoner replied, that as, in the Course of his Trial, no Evidence had been produced sufficient to convict him of the Charge abjected to him, and as others, equally culpable, or more so (even upon their own Confession) had been dismissed unpunished by the House, he could not but look on himself to be singled out as the peculiar Object of their Resentment; that as he was not conscious of having given any just Cause of Offence to them, or done any Act by which the Constitution had been injured, or the legal Rights of the People violated, he could not in Conscience make any Acknowledgements, or profess Sorrow and Contrition to the House for his Conduct; and, striking his Hand upon his Breast, assured them, no Punishment they could inflict, would be half so terrible to him, as the suffering his Tongue to give his Heart the Lie.

Upon the Conclusion of which Speech, a loud tumultuous Stamping of Feet, Hissing and Clapping of Hands being set

up by a few of the Prisoner's Friends, Orders were given from the Chair to shut the Doors, and seize the Persons concerned in so riotous an Insult on the House. And the sober reputable Freeholders present being then desired by Mr. Speaker, and the Members, to give what Information they could, respecting the Authors and Abettors of the said Insult, several of them came to the Bar of the House, and being separately examined, declared they had seen, while standing in the Crowd, *John Bell*, *John Wallace*, Merchants of the City, *James Young*, Paymaster of the *Pennsylvania* Forces, and *Charles Osborne*, Druggist, join in the said Insult, by clapping their Hands. Three of the said four Gentlemen were then severally brought to the Bar, acknowledged their Misconduct, pleaded Ignorance to the Customs of the Place, their being surprized into it, and asked Pardon for what they had done: Whereupon they were dismissed, with Orders to attend the House in the Morning, and not depart till they should obtain Leave for that Purpose.

Mr. *Smith*, with his Counsel, and the Crowd, being directed to withdraw, *James Coultas*, Esq; Sheriff of the County of *Philadelphia*, was ordered to attend the House, and having been called in, Mr. Speaker signed and delivered him an Order of the House, to take Mr. *William Smith* into his Custody, and thereupon likewise delivered another Order to the Serjeant at Arms, to deliver up the said *Smith* to the Sheriff, and an additional Charge to the Sheriff respecting the Writ of *Habeas Corpus*, if the same should come to his Hands, as before given in the Case of *William Moore*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 26, 1758.

The Committee appointed to regulate the Fees of the several Officers belonging to the House, reported, they had made an Essay for that Purpose, and delivered the same at the Table, which being read, and considered, was agreed to, and is as follows, *viz.*

WE the Committee appointed to regulate the Fees of the several Officers belonging to this House, do report as follows, *viz.*

To the Clerk, for an Order to attend the House	£ 0 5 0
To Ditto, for a Warrant, — — — — —	0 6 6
To Ditto, for minuting Evidence, <i>per Day</i> , in each	
Case, — — — — —	0 5 0
To the Serjeant at Arms, for his Capture Fee, —	0 15 0

To Ditto, for each Day in his Custody, and for his Attendance, — — — — —	0	7	6
To Ditto, for bringing to the Bar of the House, —	0	4	0
To Ditto, for each Mile out, and Home, — — —	0	0	4
To the Door-keeper, <i>per Diem</i> , — — — — —	0	3	0
To Witnesses, for their Attendance, <i>per Diem</i> , —	0	4	0
To the Clerk, for each Petition read in the House,	0	2	6
To the Door-keeper, for Ditto, — — — — —	0	1	0

The House being informed that a Number of the Freeholders was attending without, in Pursuance of the Request of the House last Night, to give what Information they could, respecting the Persons concerned in the late Insult offered to the House, they were admitted, and having given in the Names of *Thomas Fisher* and *John Elliot*, as Persons who had something to say in Evidence, touching the Authors and Promoters of the said Insult, the said *Fisher* and *Elliot* were severally called to the Bar, and examined, and then ordered to withdraw.

Then the House adjourned to Three o'Clock, *P. M.*

Others of the Inhabitants, sending in their Names to the House, they were called to the Bar, and examined as to what they knew, or had seen, of the Persons who had committed the late Insult; and it appearing from their several Examinations, that *James Young*, *John Bell*, *John Wallace*, *William Vanderspeigel*, *Thomas Lawrence*, *Richard Hockley*, *Lynford Lardner*, *Charles Osborne* and *William Peters* had all been concerned therein,

Ordered, That Mr. Speaker do sign Orders for apprehending the Six last mentioned of the said Gentlemen, and bringing them to the Bar of the House, to answer for the said Insult. And the same being made out accordingly by the Clerk, they were signed by Mr. Speaker, and delivered to the Serjeant at Arms.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 27, 1758.

More of the Inhabitants giving in their Names as Evidences, touching the late Insult, they were examined in the House.

The House having examined the Witnesses, and being informed, that Mr. *Vanderspeigel* was attending without, in the Custody of the Serjeant at Arms, he was ordered in, and acquainted by Mr. Speaker, that he had been charged before the House with being concerned in the late Insult offered to

the Representatives of the People, and was therefore now brought to the Bar to exculpate himself from the said Charge, if in his Power. The said *Vanderspeigel*, in Reply, assured the House, that he was not only in part, but wholly, innocent of the Accusation; that he very much disapproved of such Behaviour, as extremely wrong, and had left the House upon it; but had he been any way instrumental in promoting it, he would immediately ask Pardon of the House with the greatest Chearfulness.

The Evidence against Mr. *Vanderspeigel* was then called for, but being out of the Way, the said *Vanderspeigel* was dismissed till the Afternoon.

Lynford Lardner, Esq; being charged with the like Offence, was next called to the Bar, and acquainted therewith. In Answer to which, he assured the House, he had not been in the Assembly Room during the Evening on which the Disturbance happened, nor at any Time since the Beginning of the Examination and Trial of Messrs. *Moore* and *Smith*; and that his Family could testify to his being at Home unwell the whole Evening in which the House had been insulted. He was thereupon directed to withdraw, and to attend the House again in the Afternoon, with such Evidence as he had to produce in Proof of his Absence at the Time of the said Insult.

The House then adjourned to Three o'Clock, P. M.

Mr. *Thomas Willing*, being present when the late Disturbance happened in the House, and inconsiderately joined therein, by clapping his Hands; but having since, from a Conviction of his Error, and not from any Evidence that hath appeared against him, voluntarily applied to a Member, to move his being admitted to make his Acknowledgements to the House, and now attending for the Purpose, the said *Willing* was called in, and having confessed he was sorry for the Countenance he had given to, and the Part he had borne in, the said Disturbance, the House received his Acknowledgements, and dismissed him.

Mr. *Vanderspeigel* being then called in, the Evidence charging him, was examined before him, and again asserted, in the most explicit Terms, what he had at first declared. Whereupon the said *Vanderspeigel* was acquainted from the Chair, that if he could produce Persons to depose any Thing in his Favour, he was at Liberty to do it, and in Case those Persons should refuse attending, upon his Request, the House would issue Orders for bringing them.—He withdrew.

Lynford Lardner, Esq; was next called to the Bar, and produced his Servant Woman as an Evidence, who was examined, and the House being fully satisfied, from her clear and positive Testimony, of that Gentleman's Innocence, he was forthwith discharged.

Thomas Lawrence, Esq; was then called to the Bar, and being acquainted with the Charge against him, acknowledged he had clapped his Hands, but did not in the least intend thereby any Insult upon the House; and further declared, that had he suspected they would have taken such a Conduct in that Light, he would not, upon his Honour; have joined in it.

Richard Hockley, Esq; being next ordered to the Bar, and having heard the Charge against him, denied the same positively.

William Peters, Esq; was then called, and being acquainted with the Charge against him, confessed he did clap his Hands, but designed thereby neither any Approbation of Mr. *Smith's* Speech, or the least Offence to the House, having done it suddenly, and inconsiderately; for had he thought at all, he should have condemned it as an Indecency, and was sorry for it, because an Act he ought not to have been guilty of—owned it was a Fault, and his Duty to confess it; was sorry for it, and should be cautious of such Conduct for the future.

Mr. *Osborne* appeared next at the Bar, and, after hearing his Charge, replied, that had he believed his applauding Mr. *Smith's* Speech would have given Offence to the House, he should not have done it; but hurried by the Example of others, he owned he had joined in the Clap, though could he have imagined it would be considered by the House as an Insult upon them, he should not have done so; further declaring, that he would offer no Insult to any Man, and much less to that Body, and was sorry for his Conduct.

Mr. *Wallace* was last called to the Bar, and having heard the Charge against him, acknowledged he did clap his Hands, and hiss, at the Conclusion of Mr. *Smith's* Speech; but, in Justice to himself, and in Respect to the House, declared he was sorry for it; and that he had done it in Surprise, and without thinking; for had he had Time to reflect on it, he should have concluded it an Indecency.—He further said, he did not attempt to stir after it, and had he been questioned when before at the Bar, he should have owned it was a very indecent Action.

The said Gentlemen being then called together to the Bar,

were acquainted from the Chair, that the House would take into Consideration the several Acknowledgements they had made of their Misconduct, and were remitted to the Care of the Serjeant at Arms, till they should be again called for.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 28, 1758.

The House taking into Consideration the late riotous Disturbance committed in the House, and the several Testimonies, charging Persons concerned therein,

Resolved, That stamping of Feet, hissing and clapping of Hands in a tumultuous Manner, in the Presence of, and before, this House, at the Time *William Smith* ended his insolent Speech, after he had been found guilty of promoting and publishing an infamous Libel, entituled, *The humble Address* of *William Moore, &c.* are an high Contempt to the Authority of this House, a Breach of the Privileges thereof, and destructive to the Freedom and Liberties of the Representatives of the People.

Resolved, That *Mr. John Bell* of the City of *Philadelphia*, Merchant, is guilty of the said Offence.

Resolved, That *Mr. James Young*, Paymaster of the *Pennsylvania* Forces, is guilty of the said Offence.

Resolved, That *Mr. John Wallace*, Merchant, of the City of *Philadelphia*, is guilty of the said Offence.

Resolved, That *Thomas Lawrence*, Esq; Alderman of the City of *Philadelphia*, is guilty of the said Offence.

Resolved, That *William Peters*, Esq; one of the Justices of the Peace of the City of *Philadelphia*, is guilty of the said Offence.

Resolved, That *Mr. Charles Osborne*, Druggist, of the City of *Philadelphia*, is guilty of the said Offence.

Mr. Charles Cox and *Mr. Andrew Hodge*, being produced to the House as Evidences by *Mr. Vanderspeigel*, they were admitted, and severally declared, that one of them having seen the said *Vanderspeigel* the same Evening, and the other the next Morning, after the Riot had happened, he assured them he had not joined therein, but disapproved of it as an Insult on the House, and therefore went out.

Mr. Thomas Gregory was then called for, as a further Evidence for the said *Vanderspeigel*, but was not to be found.

Richard Hockley, Esq; was next called in, and being asked, whether he had any Evidence to produce, he named *Mr. John*

Read, who declared, that when the late Disturbance happened, he was standing next to Mr *Hockley* in the Crown, but did not see him clap his Hands, or hear him say to any Person, Why don't you clap? or in any other Manner urge those about him to do it.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

January 30, 1758.

The House met, pursuant to their Adjournment.

Mr. *Fox* desiring leave to be absent for a few Days, on urgent Business, he was excused accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 31, 1758.

Messieurs *Bell, Young, Wallace, Lawrence, Peters* and *Osborne*, being severally called and having respectively made such Acknowledgements of the Charge of joining in the late Insult on the Representatives of the People, as were satisfactory to, and accepted by, the House, they were, after a proper Caution and Reprehension from the Chair for so great Misbehaviour, discharged, upon Payment of their respective Fees.

Richard Hockley, Esq; was next ordered in, and acquainted, that as the Evidence against him, was not positive, and he had produced others, whose Testimony had some Tendency to exculpate him from the Charge of joining in the late Insult offered to the House, he was acquitted.

Then the House adjourned to Four o'Clock, *P. M.*

Mr. Speaker brought in, and communicated to the House, a Letter he had received from Mr. *Smith*, in Goal, which was read, and is as follows, *viz.*

S I R,

AS I do not think that the Refusal of your House to receive, or admit, the Appeal which I tendered to them on *Wednesday* the Twenty-fifth Instant, can either deprive his Majesty of his Royal Prerogative to hear Appeals from any Judgment in this Province, nor any of his Subjects to their Right to make such Appeal, I think it proper to acquaint you, and this House of Assembly, that I am still determined to lay my Appeal and Complaint before his Majesty in Council, and to prosecute the same in such Manner as I shall be advised in order to obtain that Redress which I have Reason to hope from the Royal Clemency and Justice.

I do therefore require of you, and the House, that you will be pleased to order your Clerk to sign the Depositions and

Papers which he has already delivered to me, or my Counsel, by your Order; and likewise that you will grant me Copies, under his Hand, of all other Papers, Minutes, Orders and Resolves of your House, concerning me, or my Case, which may be necessary to enable me to prosecute the same with Effect; for which Copies I am ready to pay. I am, Sir,

Philadelphia, January 30, 1758. Your most humble Servant,
WILLIAM SMITH."

To Thomas Leech, Esq; Speaker of the House of Representatives of the Freemen of Pennsylvania.

The House taking the foregoing Letter into Consideration, and being of Opinion, that it was a farther Insult upon them, returned no Answer thereto.

Mr. *James Chattin*, Printer, being then sent for, was examined by the House, concerning his Knowledge of a certain Letter, signed *W. Smith*, printed in the *London Evening Advertiser*, and the said Examination taken down.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 1, 1758.

Ordered That Mr. *David Hall*, Printer, have Notice to attend the House To-morrow Morning at Ten o'Clock.

Ordered, That the Serjeant at Arms give Notice to Colonel *Edward Jones*, and Mr. *Oswald Peele*, to attend the House To-morrow Morning at Eleven o'Clock.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 2, 1758.

James Webb, Esq; returned a Representative for the County of *Lancaster*, appearing for the first time in the House since his Election, and having taken and subscribed the usual Qualification as a Member, took his Seat accordingly.

Colonel *Edward Jones* and Mr. *Oswald Peele* attending agreeable to Notice, were called in and examined as to what they knew respecting the Conduct of Mr. *Vanderspiegel* during the late Disturbance at the House.—To which they both declared they knew nothing in particular of the said *Vanderspiegel's* Behaviour on that Occasion, as they had not seen him in the House, but only out of Doors, and did not then speak to him, or hear any Person or Persons say they had heard the said *Vanderspiegel* acknowledge he had clapped his Hands on the Conclusion of Mr. *Smith's* Speech.

Mr. *Hall* being then called in and examined why he had, in

his late Evidence before the House, stiled himself the Province Printer? He replied, he had done so on Account of his Connection and Partnership with Mr. *Benjamin Franklin*, who has generally been ordered by Mr. Speaker to print the Proceedings of the House; but allowed his own Name had never been made use of in any Orders for that Purpose.—He withdrew.

Resolved, That the Assemblies of *Pennsylvania* have never paid a Salary to any Person as Printer to the Province, but only occasionally employed when they thought proper to print their Votes, and paid for the same as others do, without having any Printer properly belonging to the House.

Ordered, That Mr. *Vanderspeigel* have Notice to attend the House in the Afternoon and bring any further Evidence he may have to produce to the House towards invalidating the Testimony against him.

The House then adjourned to Three o'Clock, *P. M.*

Mr. *Sanders* desiring Leave of the House to be absent for some Days, was excused accordingly.

The House being acquainted that Mr. *Vanderspeigel* was attending without, pursuant to Notice for that Purpose, he was ordered in, and asked by Mr. Speaker, whether he had brought any further Evidence?—To which he answered, he had no others to produce than Mr. *Evan Morgan*, Mr. *Alexander Barclay* and Mr. *Isaac Stretch*;—two of whom he knew could only say they were near him in the House, and did not see him clap; but prayed Mr. *Stretch* might be heard, who was accordingly examined, and declared, that he saw the said *Vanderspeigel* a few Minutes after the Disturbance, and that he told this Deponent he thought such Behaviour very wrong, and had not joined in it, but went out of the Room as soon as the Clapping began.

Mr. *Vanderspeigel* then acquainted the House, he had no other Evidence to produce, and that it was his Misfortune those already heard were but circumstantial; he could however, chearfully submit his Case to the Judgment and Lenity of the House.

He was ordered to withdraw; and the House taking into Consideration the Evidence, as well in Favour as against the said *Vanderspeigel*, he was called in again, and told by Mr. Speaker, that positive Evidence had been given against him, to which he had adduced circumstantial Evidence only, and his repeated Declarations of his Abhorrence of the Fact, soon after it was committed; that he had again so fully ex-

pressed the same before the House this Day, in a Manner becoming a Gentleman, that he (Mr. Speaker) had the Orders of the House to acquaint him, that they, in Consideration of his respectful Behaviour, do discharge him, paying his Fees.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 3, 1758.

A Petition from a Number of Tavern-keepers in the City was presented to the House and read, praying a Removal of the Soldiers quartered on them to the Barracks now finished, and ready for their Reception.

Ordered to lie on the Table for further Consideration.

Ordered, That Mr. Fox, Mr. Galloway, Mr. Masters, Mr. Smith, Mr. Ingham, Mr. Morton, Mr. Gibbons, Mr. Webb, Messieurs John and James Wright and Mr. Yorke be a Committee to prepare and bring in an Answer to the Governor's last Message.

Ordered, That Mr. Norris, Mr. Hughes, Mr. Galloway and Mr. Yorke be a Committee to procure James Chattin's further information respecting a Letter printed in the *London Evening Advertiser*, and signed W. Smith.

Then the House adjourned to Four o'Clock, *P. M.*

The House taking into Consideration the several Matters recommended to them in the Governor's late Messages, and first, the immediate Necessity of further Supplies, and being desirous to know in what Manner those granted last Year to his Majesty have been applied and expended,

Ordered, That the Provincial Commissioners appointed to dispose, with the Governor's Approbation, of the *Hundred Thousand Pounds* given last Year to the King's Use, lay before this House their Accounts of the Application of the said Sum.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 4, 1758.

The House resumed the Consideration of a Bill for regulating the *Indian Trade*, committed to a Committee at the Beginning of this Sitting; and, after some Debate thereon,

The House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

February 6, 1758.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

February 7, 1758.

Ordered, That Mr. Roberdeau, Mr. Pearne, Mr. Walker, Mr. Morton, Mr. Hunt, Mr. Webb, Mr. Allen, Mr. Yorke, and Mr. Plumsted be, with the Speaker, a Committee to audit and examine the Accounts of the Commissioners appointed to dispose of the *Hundred Thousand Pounds* granted to the King's Use.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 8, 1758.

The Committee appointed to prepare and bring in a Bill for regulating the *Indian Trade*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same was read the first time.

A Petition from a Number of the Inhabitants of the City of *Philadelphia*, and others, was presented to the House and read, setting forth the absolute Necessity of paving the Streets thereof, and praying, that as there is no public Fund established for that Purpose, the House would enable them, in such Manner as they judge best, to accomplish so useful and necessary a Work. *Ordered to lie on the Table for the Perusal of the Members.*

Ordered, That Mr. Trimble and Mr. Webb wait on the Governor, and desire he will be pleased to acquaint the House with the present Number of Forces in Pay of the Province, where they are stationed, and how employed?

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor, reported, they had delivered the Message according to Order; and that his Honour was pleased to say, he would furnish the House with a State of the Provincial Forces, as requested.

Ordered, That Mr. Baynton, Mr. Pearne and Mr. Yorke be a Committee to examine and compare the several Accounts of *John Bell, James Young, John Wallace, Thomas Lawrence, William Vanderspeigel, William Peters* and *Charles Osborne*, with the Rates settled by the Committee appointed to regulate the Fees to be allowed Officers belonging to the House.

The Members appointed to examine and compare the said Accounts with the Table of Fees, reported, they had done the same, and found them to agree.

Ordered, That the Clerk sign the said Accounts, and deliver them to the Serjeant at Arms to be collected.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 9, 1758.

The House resumed the Consideration of the Bill for regulating the *Indian Trade*, which being read by Paragraphs, and debated, was re-committed to the Committee who brought it in, for some Alterations and further Additions.

Then the House adjourned to Four o'Clock, *P. M.*

The Governor sent down to the House, by *William Peters*, Esq; an Account of the Number of Forces in Pay of the Province, where stationed, and on what Duty, with a verbal Message, that in case the House should think any Parts of the said Account wanted Explanation, *Mr. Young*, the Paymaster, should attend them for that Purpose.

A Petition from Messieurs *Lawrence*, *Wallace*, *Osborne* and *Bell* was presented to the House, read, and ordered to lie on the Table.

The House went upon the Consideration of the *Indian Trade Bill*, as again brought in by the Committee to whom it was re-committed in the Morning; and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

February 10, 1758.

The Serjeant at Arms being called in, acquainted the House, that *Thomas Lawrence*, Esq; had positively refused to pay the Fees due from him to the Officers of the House, and that *Mr. Wallace*, *Mr. Osborne* and *Mr. Bell* had objected to the Payment of theirs; wherefore,

Ordered, That the Serjeant at Arms do again demand of the said Gentlemen their respective Fees, and report their several Answers to the House.

The House then resumed the Consideration of the *Indian Trade Bill*; and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The Serjeant at Arms reported, that he had again demanded his Fees of Messieurs *Lawrence*, *Wallace*, *Osborne* and *Bell*, in Answer to which they all told him, they had no Money, but he might distrain on their Goods.

The House taking into Consideration the Report of the Serjeant at Arms,

Ordered, That Warrants do issue to the Serjeant at Arms to apprehend and take into close Custody the said *John Bell* and *John Wallace*, and them safely keep till they shall pay the Fees already due, and such others as may arise upon this Commitment.

Ordered, That the Serjeant at Arms do also apprehend, by Virtue of the Warrants formerly granted, and take into close

Custody the said *Thomas Lawrence* and *Charles Osborne*, and them safely keep till they shall likewise discharge the Fees demanded of them, and such others as may further arise upon this Commitment.

And the said Warrants for Messieurs *Bell* and *Wallace* being signed by Mr. Speaker, were delivered to the Serjeant, with the foregoing Order for the said *Lawrence* and *Osborne's* Confinement.

The House then resumed the Consideration of the *Indian Trade Bill*, which, having been read the second time, and considered by Paragraphs, was agreed to, and ordered to be transcribed.

The Governor, by *William Peters*, Esq; sent down to the House an Extract from a Letter of Capt. *Joseph Shippen's* to Lieutenant Colonel *Burd*, dated at Fort *Augusta*, the Twentieth of *January*, giving an Account of his having received Intelligence by *Job Chellyway*, that a small Party of *French*, joined by a *Munsey* Captain and his Warriors, are expected down next Month, to attack Fort *Allen*.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

February 11, 1758.

A Letter from *Richard Peters*, Esq; Secretary, to the Reverend *Jacob Till*, dated the Fourth of *February*, inclosing a large Packet, directed to *Timothy Horsefield*, Esq; was left Yesterday at the Bretherns House in this City, and To-day the said Letter, with the inclosed Packet, were brought to a Member of this House by *Lewis Weiss*, a *Moravian*, desiring he would lay the same before the Assembly for their Opinion, whether he ought not to send an Express to *Bethlehem* with the said Packet, as it appears from the Secretary's Letter, that it contains Dispatches of great Consequence, and has been already delayed several Days.—The said Papers were accordingly brought into the House by the Member to whom they were committed; and, after some Debate thereon,

Ordered, That Mr. *Fox* and Mr. *Galloway* wait on the Governor, and deliver the said Letter and Packet to his Honour, acquainting him of the Manner in which they came before the House, who have been induced to send them to the Governor, upon a Supposition that he is no Stranger to the Contents of the said Packet, and can therefore best judge what ought to be done with it.

The Members return, and report, that they had waited on the Governor, and delivered the Packet and Letter, with the

Message of the House, according to Order;—that his Honour opened the said Packet in their Presence, and acquainted them with the Contents thereof; after which he was pleased to say, he was obliged to the House for the Care they had taken; that he expected it had been forwarded, agreeable to Direction, some Days since, and would make immediate Enquiry into the Causes of its Delay.

The Bill for regulating the *Indian* Trade being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Masters* and Mr. *Yorke* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

February 13, 1758.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian* Trade, &c, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into immediate Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 14, 1758.

The Governor's Estimate of Expenses for the current Year, with the Paymaster's Account of Arrears due to the Provincial Forces, being read by Order, the House went upon the Consideration of Supplies; and, after some Debate thereon, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of Supplies, and the Number of Forces to be kept up for the current Year; and, after some Time spent therein, the Question was put, Whether Seven Hundred Men shall be continued in Pay of the Government for the ensuing Year? and the same was resolved in the Affirmative.

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Hughes*, Mr. *Masters* and Mr. *Pearne* be a Committee to examine the Petitions presented to the late Assembly against *William Moore*, and extract such Parts from thence, and from the Affidavits taken in Support of them, as they may judge most proper, to shew the Foundation upon which that Assembly proceeded as they did against the said *Moore*, and report the same to this House, for their Opinion, before the Publication thereof.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 15, 1758.

The House resumed the Consideration of the Provincial Forces, and the Number of Officers to be continued in Pay of the Government,

Resolved, That the Provincial Forces shall consist, for the ensuing Year, of Seven Hundred Men, to be divided into seven Companies, each of which Companies shall have a Captain, Lieutenant and Ensign, two Serjeants, two Corporals and one Drummer.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded on the Consideration of the Officers further necessary to the Provincial Service; and, after some Time spent therein,

Resolved, That a Commissary of the Musters shall be continued in Pay of the Government, at *Ten Shillings per Diem*, and reasonable travelling Expences: Also a Commissary of the Stores, to reside at Fort *Augusta*, at *Seven Shillings and Six-pence per Diem*; and one Surgeon, at the same Wages.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 16, 1758.

The Governor, by Mr. *William Peters*, sent down the Bill for preventing Abuses in the *Indian Trade*, &c. with his Honour's Amendments thereon, which were read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Amendments, sent down in the Forenoon, with the Bill for preventing Abuses in the *Indian Trade*; and, after some Time spent therein, admitted a few of the said Amendments, and in others adhered to the Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 17, 1758.

The House resumed the Consideration of his Honour's Amendments on the Bill for preventing Abuses in the *Indian Trade*, &c. and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House went again upon the Consideration of the Governor's Amendments to the Bill for preventing Abuses in the *Indian Trade*; and having gone through with the same, adjourned to Ten o'Clock To-morrow Morning.

February 18, 1758.

Such of the Governor's Amendments on the Bill for preventing Abuses in the *Indian Trade*, &c. as were agreed to by the House, being transcribed,

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor, and deliver to his Honour the Bill for preventing Abuses in the *Indian Trade*, together with the Paper of Amendments agreed to by the House, and desire he will be pleased to pass the said Bill agreeable thereto.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 20, 1758.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for regulating the *Indian Trade*, and such of his Honour's Amendments thereon as were admitted by the House, report, they had delivered the same according to Order; and that the Governor was pleased to say, he would take them into immediate Consideration.

His Honour, by Mr. *William Peters*, sent down to the House a Copy of a Letter received Yesterday by Express from his Excellency *John Earl of Loudoun*, and ordered Mr. *Peters* to acquaint the House, that he most earnestly recommended a Compliance with the Requisition therein contained, with the utmost Secrecy and Dispatch.

And the said Letter from his Lordship being read, follows in these Words, *viz.*

SIR,

New-York February 13, 1758.

AS I am directed by his Majesty to apply to the several Governments in *North-America*, for such Aid and Assistance as are necessary for carrying on the War in this Country, which is likewise fully expressed in the several Letters transmitted by his Majesty's Secretaries of State, down from Sir *Thomas Robinson's* Letters to them, of the Twenty-sixth of *October*, 1754, to this Time, directing that they should correspond and co-operate with his Majesty's Commander in Chief, for the Time being, in *North-America*, and that they will use their utmost Endeavours to induce their Councils and Assemblies to give the necessary Orders for raising their Quotas of Men with the greatest Expedition, so that they may be ready to march to such Places as the Commander in Chief shall direct.

In Consequence of which Orders I now apply to you, to use your utmost Endeavours, with your Council and Assembly, to furnish a Body of Eight Hundred good Men, and that as many of them as possible should be used to ranging, to act in Conjunction with his Majesty's Forces the next Spring, in carrying on vigorous and offensive Measures against the Enemy, over and above what is necessary for the Defence of your own Forts on the Frontiers of your Province, and that this Body should be ready to march by the Beginning of *April*.

As this will occasion the raising an additional Number to what your Province now have, I would propose to you, that the Addition should be raised only for the Campaign, and to be dismissed at the End of it, by which Means, I am of Opinion, that it will not only be less expensive to the Province, but you will sooner complete your Quota with good men, as they will be enabled to return to their own Habitations in the Winter.

I am further induced to expect that they will readily comply with this Request, that I will, as soon as they join his Majesty's Forces, supply them with the King's Provisions, at the Expence of the Crown, which will greatly ease the Province in that material Article, and as the Service I propose to employ them on, will be an immediate Benefit and Security to your Province, I need use no Arguments to induce you, who are so well acquainted with the Interest of this Country, to use your utmost Endeavour to forward this Measure, so essential for carrying on the War, and the Safety of your own Province. I am, with great Regard,

Sir, your most obedient humble Servant,

LOUDOUN."

A true Copy,

Examined by WILLIAM PETERS, *Deputy Secretary.*

A Petition from the Overseers of the Highways, in divers Townships within the County of *Philadelphia*, was presented to the House and read, setting forth, that they are, by the Laws of the Province, obliged to keep the public Roads of their respective Townships in Good Repair, but that the said Laws have made no Provision for supplying them with the Materials required for that Purpose, such as Wood, Stone, Gravel, &c. and Carriages to collect them at the several Places in which they may be wanted;—that near the City, where the Roads, from being most used, oftenest stand in Need of Repairs the said Materials cannot be procured, few People being

able to supply them, and such as can do it, will not spare them without a Consideration for the same:—That the Petitioners therefore humbly pray the House to take their Case into Consideration, and afford such Redress as they shall judge proper.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 21, 1758.

A Petition from such of the Merchants in the City of *Philadelphia* as are interested in the *Palatine* Trade was presented to the House and read, setting forth, that by an Abuse of the Act of Assembly, entitled, *An Act for the Relief of insolvent Debtors*, they the Petitioners have lost considerable Debts and Sums of Money, contracted for and agreed to be paid by *Palatines* imported here, for their Passages or Freights, who, under Colour of the said Act, absconding and secreting themselves from their Creditors for the Space of two Years, have, by Virtue thereof, been exonerated from the said Debts, though in Circumstances to discharge them:—The Petitioners therefore pray the House to re-consider the said Law, and make such Amendments thereon as may effectually prevent the like Abuses for the future.

Referred to further Consideration.

Upon Motion, That there is an absolute Necessity to fit out the *Pennsylvania Frigate* with all possible Dispatch, for the Protection of Trade against the Enemy Privateers, now infesting our Coast; and that there is no public Money remaining at the Disposal of the Governor and Provincial Commissioners for that necessary Purpose, the House took the said Motion into Consideration, and

Ordered, That the Clerk do apply to the Collector for an Account or Estimate of the Tonnage of all Vessels that have been entered and cleared at his Office for the Space of one Year last past, and that *John Baynton*, Esq; one of the late Provincial Commissioners, entrusted with the Equipment of the *Pennsylvania Frigate*, for her last Cruize, do lay before this House an Account of the monthly Expence of the said Frigate, during that Cruize.

Then the House adjourned to Three o'Clock, P. M.

The Petition of *John Proby*, one of the first settlers in *York-Town*, was presented to the House and read, setting forth, in a prolix and circumstantial Manner, various Hardships, Abuses and Acts of Injustice suffered by the Petitioner

from *George Stevenson*, Clerk of the Court, and *James Smith*, Attorney, *Harman Uptgrave*, Magistrate, *John Lawrence*, Attorney, *John Adlum*, Sheriff, *Benjamin Swoope*, &c. &c. and praying Redress from the House.

Referred to further Consideration.

The House went upon the Consideration of Lord *Loudoun's* Letter to the Governor, sent down to the House last Night; and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

February 22, 1758.

Mr. *Baynton*, agreeable to the Order of Yesterday, reported to the House an Estimate of the Expence of the Ship *Pennsylvania Frigate*, for a Six Months Cruize, which was read, and is as follows, *viz.*

OFFICERS and Mens Pay, at <i>Six Hundred</i>			
<i>Seventy-seven Pounds, Twelve Shillings and</i>			
<i>Six-pence per Month</i> — — — — —	£ 4,065	15	0
Provisions for 170 Men, at <i>Twenty-five Shil-</i>			
<i>lings per Man per Month</i> , — — — — —	1,375	0	0
Tradesmens Bills, &c. as <i>per List</i> , — — —	975	0	0
	<hr/>		
	£ 6,425	15	0

Which is *One Thousand and Seventy Pounds Nineteen Shillings and Two-pence per Month*, exclusive of several small incidental Charges, which I cannot now account for.

It is impossible to ascertain exactly the Out-fit of the *Pennsylvania Frigate*, but, as near as I can form a Judgment, it will be as above, completely fitted for a Six Months Cruize.

The Equipping of the Province Ship in *August* last, extra of her prime Cost, was *Four Thousand Six Hundred Pounds*, but then her Cruize was but for three Months.

JOHN BAYNTON."

Then the House adjourned to Four o'Clock, *P. M.*

The House resumed the Consideration of his Lordship's Letter to the Governor; and, after some Time spent therein,

Resolved, That Three Hundred of the Provincial Forces be added to the Seven Hundred Men, some Days ago voted by this House for the Defence of the Province during the current Year.

Resolved, That Seven Hundred of the said Troops be kept in Readiness, as the Proportion of Aid demanded from the Province of *Pennsylvania* by his Excellency *John Earl of Loudoun*, in his Requisition to the Governor of said Province,

and of the Counties of *New-Castle, Kent and Sussex*, upon *Delaware*, of Eight Hundred Rangers, to act in Conjunction with his Majesty's Forces next Spring, in carrying on vigorous and offensive operations against the enemy.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 23, 1758.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait upon the Governor, and acquaint him, the House desire to know when they may expect his Honour's Result upon the Bill for preventing Abuses in the *Indian Trade, &c.*

The Members return, and report, they had waited on the Governor, and delivered the Message of the House agreeable to Order; to which his Honour was pleased to reply, that the *Indian Trade Bill* was a Bill of very great Importance; that it required the most deliberate Consideration; that several Members of the Council were absent, but that on their Return it should be laid before a full Council, re-considered, and then the House should know his Result thereon.

The House resumed the Consideration of Supplies for the current Year; and, after some Debate, adjourned to Three o'Clock, *P. M.*

The House went again upon the Consideration of Supplies; and, after some Time spent therein,

Resolved, That the Sum of *Eighty Thousand Pounds* be given to the King's Use, for defraying the Exigencies of the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 24, 1758.

The House proceeded in the Consideration of Ways and Means for raising the Sum of *Eighty Thousand Pounds*, granted to the King's Use by the Resolve of Yesterday, and, after some Debate, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of Ways and Means for sinking the Sum of *Eighty Thousand Pounds*, and, after a considerable Time spent therein, a Question was put, Whether a Committee should be appointed to estimate a proportionable Quota, in order to assess the same on the several Counties within this Province, towards sinking the said Sum of *Eighty Thousand Pounds* granted to the King's Use? —And the said Question was resolved in the Negative.

Then the House adjourned to Nine o'Clock To-morrow Morning.

February 25, 1758.

The House resuming the Consideration of Ways and Means, &c. after some Time spent therein,

Ordered, That Mr. Norris, Mr. Pearne, Mr. Masters, Mr. Smith, Mr. Grubb, Mr. Saunders, Mr. Allen, Mr. Yorke and Mr. Plumsted be a Committee to prepare and bring in a Bill for raising *Eighty Thousand Pounds*, to be given to the King's Use.

Then the House adjourned to *Monday* next, at Five o'Clock in the Afternoon.

February 27, 1758.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

February 28, 1758.

The Governor, by *William Peters*, Esq; sent down the Bill for preventing Abuses in the *Indian Trade*, &c. with a Reply to the Assembly's Answer to his Honour's Amendments thereon which Reply was read, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resuming the Consideration of the Governor's Reply to their Answer to his Honour's Amendments on the Bill for preventing Abuses in the *Indian Trade*, admitted some Parts thereof, and in others adhered to the Bill, which Parts of the said Reply being transcribed accordingly,

Ordered, That Mr. Ashbridge and Mr. Saunders wait on the Governor with the said Transcript; and also return to his Honour the Bill for preventing Abuses in the *Indian Trade*, &c. and desire he will be pleased to pass the same, agreeable to the Answer of the House, now presented, to his Honour's last Amendments on the said Bill.

The Committee appointed to prepare and bring in a Bill for granting the Sum of *Eighty Thousand Pounds* to the King's Use, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 1, 1758.

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian Trade*, &c. and the Answer of the House to his Honour's last Amendments on the said Bill, reported, they had delivered the same, with the

Message of the House, according to Order; and that the Governor was pleased to say, he would take them into immediate Consideration, and acquaint the House with his Result thereon.

The House then went upon the Consideration of laying a Duty of Tonnage on all Vessels entering at, and clearing from, this Port, for defraying the Expence of fitting out and maintaining the Province Ship of War for the Protection of Trade, and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of further Ways and Means of raising Money for Suport of the Province Ship of War, and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

March 2, 1758.

The House went again upon the Consideration of Ways and Means of raising Money for Maintaining the Province Ship of War; and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

Mr. Roberdeau, by Direction of the Managers of the *Pennsylvania* Hospital, laid before the House an Account of the Stock, Expences, &c. of the said Hospital, which was read, and is as follows, *viz.*

We the Committee, appointed by the Board of Managers of the Pennsylvania HOSPITAL to adjust the Accounts for the preceeding Year, do REPORT,

That on the Account of Capital Stock the Treasurer, *Hugh Roberts*, gives credit for Cash received from the following Subscribers, *viz.*

1756. <i>May</i> 4.	Jacob Cooper, — £	10	0	0
<i>August</i> 14.	Thomas Maule, —	12	10	0
25.	Joseph Leech, —	10	0	0
26.	Jacob Duché, —	10	0	0
<i>September</i> 3.	Samuel Morris, —	10	0	0
	Solomon Fussel, -	10	0	0
6.	John Baynton, —	10	0	0
	Walter Goodman,	10	0	0
1756. <i>Sept.</i> 17.	John Dixon, — —	5	0	0
<i>Nov.</i> 19.	Joseph Shewell, —	10	0	0
1757. <i>Jan.</i> 13.	Robert Cross, —	5	0	0

<i>March</i>	9.	James Stones, —	10	0	0
<i>April</i>	4.	George Bensell, —	10	0	0
	16.	Paul Kripner, —	10	0	0
	29.	Thomas Ellis, —	10	0	0
<i>May</i>	2.	Thomas Clifford,	10	0	0
			<hr/> £ 152 10 0		

And he Debits,

Cash paid Charles Norris, the former Treasurer, the Balance due to him the Third of Fifth Month, 1756, — — — — —	£ 49 17 0
So that the Balance on this Ac- count, now remaining in his Hands, is, — — — — —	102 13 0
<hr/> £ 152 10 0 <hr/>	

*And on Account of the Stock, granted and contributed towards
the Building of the New Hospital, the Treasurer Credits,*

Cash received of the former Treasurer, the Balance in his Hands, — — — — —	£ 418 15 0
Ditto of the Provincial Treasurer, by the Orders of sundry Con- tributors, Signers of the Bills of Credit, — — — — —	684 18 9
Ditto of Thomas Maule, his ad- ditional Contribution, — — —	12 10 0
Ditto of Samuel Preston Moore, Ditto, — — — — —	2 1 0
Ditto of John Baynton, a Legacy of his Father's, — — — — —	10 0 0
Ditto of Mary Loveday, her Con- tribution, — — — — —	3 0 0
Ditto of Philip Ludwell, Esq; of Virginia, Ditto, 10 l, Sterling,	17 0 0
Ditto of Samuel Cheeseman, Ditto, — — — — —	10 0 0
Cash received of Benjamin Armi- tage, his Contribution, — — —	10 0 0
Ditto of William Dilworth, Ditto,	10 0 0

Ditto of Plunket Fleeson, in Part			
of Dit. — — — — —	4	0	0
Ditto of Charl. Stow, jun. in Part			
of Dit. — — — — —	5	8	0
Ditto of John Drinker, Ditto, —	10	0	0
Ditto of John Palmer, Ditto, —	10	0	0
Ditto of Thomas Hallowell, Ditto,	10	0	0
Ditto of John Parish, Ditto, — —	10	0	0
Ditto of Eleanor Hair, Ditto, —	21	2	4
Ditto of Sebastian Graff, Ditto,	20	0	0
Ditto of Robert Strettell, Ditto,	7	12	0
Ditto of Samuel Neave, additional Contribution, — — —	10	0	0
Dit. of Luke Morris, some refuse Boards, — — — — —	2	1	0
	<hr/> £1,288 8 1		

And on the said Account, he Debits,

Cash paid Samuel Rhoads, by four Orders of the Managers, £	900	0	0
Ditto paid Catharine Wistar, in Discharge of C. Norris's Bond for the £200 borrowed of her, and Twelve Months Interest,	212	0	0
Ditto paid Robert Strettell, for eight Pair of And-irons, — —	7	12	0
Ditto paid Samuel Neave, for fifteen striped Blankets, — —	10	0	0
	<hr/> £1,129 12 0		
So that there remains in his Hands, to balance this Account,	158	16	1
	<hr/> £1,288 8 1		

On Account of Interest Money, the Treasurer Debits,

Cash paid the former Treasurer to balance this Account, — — £	379	1	8½
Ditto paid James Kinsey for Half a Year's Rent, due before removing into the new Hospital,	20	0	0
Ditto paid Elizabeth Gardiner, the Matron, for Houshold Expences, &c. by eleven Orders of the Managers, — — — — —	285	0	0
	<hr/> £ 684 1 8½		

And on the said Account, he Credits,

Cash received of sundry Persons, in Part of the Interest Money due, for Money lent on Land Security, — — — — —	£ 126 0 0
Ditto received of the Contribu- tors, Part of the Interest due from them, — — — — —	112 13 10
Ditto of William Allen, Esq; his annual Subscription, — — —	12 0 0
Ditto of John Pearson, for Isaac Norris's Annuity, — — — — —	6 0 0
Ditto of William Vanderspeigel, for two Years Subscription, —	2 0 0
Ditto of Thomas Hallowell, one Treasurer on this Account, —	422 7 10½
	<hr/> £ 261 13 10
So that there remains due to the Treasurer on this Account, ..	422 7 10½
	<hr/> £ 684 1 8½

Thus it appears on the Whole there remained due to the Treasurer, on the Second of the *Fifth Month, 1757, One Hundred and Sixty Pounds Eighteen Shillings and Nine-pence Halfpenny*, besides an Account which he has not yet adjusted, of Sundries paid for, and provided by him towards the Building, to be settled with the next Year's Accounts.

On a general State of the Accounts, it appears, That
The Capital Stock of the Pennsylvania HOSPITAL,
Dr.

To 146 Bonds remaining due from sundry Con- tributors, — — — — —	£1,774 16 8
To 17 Subscriptions, for which Bonds are not yet given — — — — —	109 0 0
To 9 Bonds, 8 of which with Land Securities, in the Hands of the Treasurer, for Money lent on Interest — — — — —	2,860 0 0
To Deeds in the Treasurer's Hands for a Lot near Germantown, and two Annuities of 1 l. 15 s. Sterling, and 6 l. Currency per Annum, valued at — — — — —	174 0 0
	<hr/> £4,917 16 8
Balance remaining due to this Account, — — —	102 13 0
	<hr/> £5,020 9 8

Cr.

By 133 Subscriptions, before the Settlement of Accounts,	1752, — — — — —	£2,721 16 8
By 2 Ditto,	1753, — — — — —	30 0 0
By 1 Ditto,	1754, — — — — —	10 0 0
By 186 Ditto,	1755, — — — — —	2,028 13 0
By 7 Ditto,	1756, — — — — —	70 0 0
By 16 Ditto,	1757, — — — — —	160 0 0
Besides three annual Subscriptions, amounting to 14 l. 10 s. per Annum,		

 £5,020 9 8

*Stock granted by Law, and contributed by private Subscribers,
for founding, building and furnishing the Hospital,*

Dr.

To Expences of Furniture, House-rent, &c. adjusted	1752, £ 143 5 7½	
	1753, 42 4 9½	
	1754, 84 12 7	
	1755, 51 4 7½	
	1756, 35 7 5	
	1757, 63 10 4	
	<hr/>	£ 420 5 4½
To Cash paid Parker and Hinton, for the Lot for the Site of the Hospital, — — — — —		500 0 0
To Cash paid S. Rhoads, towards purchasing Materials, and carrying on the Building, as adjusted 1756,	£1,450 0 0	
Since paid 1757,	900 0 0	
	<hr/>	£2,350 0 0
To Cash paid C. Wistar, Interest of Money borrowed to carry on the Building, and since repaid, — — — — —		12 0 0
To Cash remaining in the Hands of the Treasurer, — — — — —		158 16 1
		<hr/>
		£3,441 1 5½
To Balance due to this Account, which must be made good out of the Account of Household Expences, when the Fund appropriated for that Account will enable us to do it, and is occasioned by some Articles, belonging to Ac- count of Expences, being carried to this Ac- count, and others twice charged, — — — — —		140 6 7½
		<hr/>
		£3,581 8 1

Cr.

By Cash of the Trustees of the General Loan-
Office — — — — — £2,000 0 0

By Interest received by the Treasurer, as by

Account settled in 1753,	£	67	0	0
1754,		160	0	0
1755,		61	0	0
1756,		105	0	0

393 0 0

By Cash of sundry Contributors, and Legacies,
&c. given to this Fund, as entered in Ac-
counts settled 1756, — — — — £ 318 15 0

Since received by the Treasurer, 869 13 1

1,188 8 1

£3,581 8 1

The Houshold Expences of the Pennsylvania Hospital,
Dr.

To Balance of Account settled the Third of

Fifth Month, 1756, — — — — — £ 563 12 8

To the Amount of Provisions, Firewood, Wages,

&c. to this Second of Fifth Month, 1757, — — 358 17 3

£ 922 9 11

Cr.

By Interest-money received from the Contribu-
tors, — — — — — £ 112 13 10

Ditto from the Borrowers of Money lent, — — 126 0 0

By Cash received from sundry Charity-Boxes,
viz.

The House of Representatives, £ 20 8 1

The Chief Justice's — — — — 4 3 9

Alderman Coleman's — — — — 0 17 8

Alderman Mifflin's, — — — — 6 7 1

The Hospital, — — — — 4 0 9

Several of the Managers, — — 1 12 8

37 10 0

By Cash received for boarding Pay Patients, — 44 10 0

Ditto for W. Allen's anual Subscription, — — 12 0 0

Ditto for I. Norris, his Annuity, — — — — 6 0 0

Ditto for W. Vanderspeigel's Ditto, 2 Years, — 2 0 0

Ditto for Rent of Half the Pasture, — — — — 3 0 0

£ 343 13 10

Balance, being what we have expended more
than our Income, — — — — —

578 16 1

£ 922 9 11

The foregoing Accounts were examined, and the Lists of Bonds &c. therein mentioned, and particularly entered in the annexed Schedules, compared with the Originals, which, together with the Deeds relative to the Mortgages for Money lent out on Interest, and the Deeds for the Ground-rents and Lots, granted to the Contributors of the *Pennsylvania Hospital*, and the Seal of the Corporation, were found remaining in the Hands of *Hugh Roberts* (the Treasurer) the Second Day of the *Fifth Month*, 1757.

ISRAEL PEMBERTON,
JOSEPH RICHARDSON."

Ordered, That Mr. *Pearne*, Mr. *Masters*, Mr. *Walker*, Mr. *Morton*, Mr. *Saunders*, Mr. *Allen*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to visit the Hospital, and report the State thereof to the House.

The House then again resumed the Consideration of Ways and Means for raising Money to support the *Pennsylvania Frigate*, for the Protection of Trade; and, after some Time spent therein,

Ordered, That Mr. *Hughes*, Mr. *Baynton*, Mr. *Trimble*, Mr. *Strickland*, Mr. *Carpenter*, and Mr. *Yorke* be a Committee to prepare and bring in a Bill for laying a Duty on Tonnage on all Vessels (as well our own as foreign Bottoms) entered at, and cleaned from, this Port, together with an Import on Brandy, Wine, Rum and Sugar, and an Excise on Tea, to be collected from the Retailers thereof, and applied to the Support of the Province Ship of War, for the Protection of Trade.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 3, 1758.

The House taking into Consideration, that several Laws, enacted last Year, are near expiring, and require to be revived, with certain Alterations and Additions, which Experience hath shewn to be necessary,

Ordered, That Mr. *Hughes*, Mr. *Masters*, Mr. *Ingham*, Mr. *Wayne*, Mr. *Webb*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to prepare and bring in Bills for quartering of Soldiers, and regulating the Hire of Carriages, to be employed in his Majesty's Service within this Province.

Upon Motion, The Petition of sundry Merchants of the City of *Philadelphia*, interested in the *Palatine* Trade, praying an Amendment of the Law, entituled, *An Act for the Relief of insolvent Debtors*, was read a second time; and, after some Debate thereon, the Question was put, Whether the said Petitioners shall have Leave to bring in a Bill for remedying the Inconveniencies complained of from the said Act?—And the same was resolved in the Negative by a great Majority.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion, The Petition of a Number of Citizens, for paving the Streets of *Philadelphia*, was again read; and, after some Time spent in Consideration thereof,

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose expressed in their said Petition.

Ordered, That Mr. *Hughes*, Mr. *Master*, Mr. *Ingham*, Mr. *Wayne*, Mr. *Webb*, Mr. *Yorke* and Mr. *Plumsted* be a Committee to prepare and bring in a Bill for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province; and for repealing the Act of General Assembly passed in the present Reign for the same Purposes.

Then the House adjourned to Nine o'Clock To-morrow Morning.

March 4, 1758.

The Committee appointed to examine the Petitions presented to the late Assembly against *William Moore*, Esq; reported, they had made some Progress therein, and desired further Time to complete the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 6, 1758.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

March 7, 1758.

The Committee appointed to prepare and bring in a Bill for laying a Duty of Tonnage on Vessels, and an Impost on Wine, Rum, Brandy, and other Spirits, &c. for supporting a Vessel of War to protect Trade, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for laying a Duty of Tonnage on Vessels, &c. and, after some Time

spent therein, the said Bill was re-committed to the Committee which brought it in, with the Addition of Mr. *Norris*, Mr. *Galloway* and Mr. *Pearne*, for such Alterations as were recommended by the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 8, 1758.

The Governor again returned the Bill for preventing Abuses in the *Indian Trade, &c.* by the Secretary, who acquainted the House, that his Honour adhered to his Amendments thereon, and would not pass the said Bill unless they were agreed to.—The Question was then put, Whether the House will admit the Governor's said Amendments? And the same was unanimously resolved in the Negative.

The Secretary also delivered to the House a Letter from the Honourable *William Pitt*, Esq; his Majesty's principal Secretary of State, to the Governor, with a written Message from his Honour to the Assembly, which were severally read, and are as follow, *viz.*

GENTLEMEN,

I HAVE ordered to be laid before you a Letter I received Yesterday from his Majesty's principal Secretary of State, which contains Matters of the utmost Importance to his Majesty's Service, the common Concern of his Dominions on this Continent, and more particularly the Security and Protection of this and the Southern Provinces. The vigorous Efforts determined on by his Majesty the ensuing Campaign, to repair our late Losses, and to secure us from the future Designs of his Enemies, give the most convincing Proofs of his Royal Care and paternal Regard, and must necessarily inspire every loyal Heart to make the most grateful Returns. I cannot therefore doubt a ready and cheerful Compliance on your Part with the most reasonable Demands made of this Province by his Majesty, in the Secretary of State's Letter. On an Occasion so interesting, I must, in the warmest Terms, press you, Gentlemen, to use Vigour, Unanimity and Dispatch in your Councils, that nothing may be wanting towards the immediate Execution of such offensive Measures as the Commander in Chief may judge necessary for his Majesty's Honour and Interest; in which you may assure yourselves of my most hearty Concurrence.

March 8, 1758.

WILLIAM DENNY."

The Secretary of State's Letter follows in these Words, *viz.*

SIR,

Whitehall, December 30, 1757.

HIS Majesty having nothing more at Heart than to repair the Losses and Disappointments of the last inactive and unhappy Campaign, and by the most vigorous and extensive Efforts to avert, by the Blessing of God on his Arms, the Dangers impending on *North America*; and not doubting but all his faithful and brave Subjects there will chearfully co-operate with, and second to the utmost, the large Expence and extraordinary Succours supplied by this Kingdom for their Preservation and Defence: And his Majesty considering, that the several Provinces, from *Pennsylvania* inclusive to the Southward, are well able, with proper Encouragements, to furnish a Body of several Thousand Men to join the King's Forces in those Parts for some offensive Operations against the Enemy: And his Majesty not judging it expedient to limit the Zeal and Ardour of any of his Provinces, by making a Repartition of the Forces to be raised by each respectively, for this most important Service; I am commanded to signify to you the King's Pleasure, that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, as large a Body of Men within your Government, as the Number of its Inhabitants may allow, and forming the same into Regiments, as far as shall be found convenient, that you do direct them to hold themselves in Readiness, as early as may be, to march to the Rendezvous at such Place or Places as may be named for that Purpose by Brigadier General *Forbes*, appointed to command his Majesty's Forces in those Parts, in order to proceed from thence, in Conjunction with a Body of his Majesty's *British* Forces, and under the supreme Command of Brigadier *Forbes*, appointed as above, so as to be in a Situation to begin by the First of *May*, if possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged, by the said Commander of his Majesty's Forces in those Parts, most expedient for annoying the Enemy, and most efficacious towards removing and repelling the Dangers that threaten the Frontiers of any of the Southern Colonies on the Continent of *America*. And the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province as you shall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to

quicken and effectuate the speedy levying of the greatest Number of Men: In the Disposition of which Commissions, I am persuaded, you will have nothing in View but the Good of the King's Service, and a due Subordination of the Whole, when joined to his Majesty's Commander: And all Officers of the Provincial Forces, as high as Colonels inclusive, are to have Rank according to their several respective Commissions, in like Manner as is already given by his Majesty's Regulations to the Captains of Provincial Troops in *America*.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as done to the rest of the King's Forces; and a sufficient Train of Artillery will also be provided at his Majesty's Expence, for the Operations of the Campaign: The Whole therefore, that the King expects and requires from the several Provinces, is, the Levying, Cloathing and Pay of the Men; and on these Heads also, that no Encouragement may be wanting to the full Exertion of your Force, the King is further most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit.

Although several Thousand Stands of Arms will be forthwith sent from *England*, to be distributed to the Troops now directed to be raised in the Southern and Northern Provinces; yet, as it is hoped that the Numbers of Men, levied in all Parts of *America*, may greatly exceed the Quantity of Arms that can at present be supplied from *England*, it is his Majesty's Pleasure, that you do, with particular Diligence, immediately collect and put into the best Condition all the serviceable Arms that can be found within your Government, in order that the same may be employed, as far as they will go, in this Exigency.

I am further to inform you, that similar Orders are sent by this Conveyance to *Maryland*, *Virginia*, *North-Carolina* and *South-Carolina*.—The Northern Governments are also directed to raise Men in the same Manner, to be employed in such offensive Operations as the Circumstances and Situation of the Enemy's Possessions in those Parts may point out; which, it is hoped, will oblige them so to divide their Attention and

Forces, as will render the several Attempts more easy and successful.

It is unnecessary to add any Thing to animate your Zeal in the Execution of his Majesty's Orders on this great Occasion, where the Safety and Preservation of *America*, and of your own Province in particular, are at Stake, and the King doubts not, from your known Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch, in this urgent and dangerous Crisis, I am,

Sir, your most obedient humble Servant,

W. PITT."

To the Honourable WILLIAM DENNY, Esq; Lieutenant Governor of the Province of Pennsylvania.

A Petition from Mr. *Hugh Davey*, of the City of *Philadelphia*, was presented to the House and read, praying to be appointed Collector of the Tonnage and other Duties, to be imposed by the Bill now under Consideration of the House for supporting the Province Ship of War for the Protection of Trade.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee to whom the Bill for granting a Duty of Tonnage upon Ships and other Vessels, &c. was re-committed, reported, they had essayed some Amendments and Additions thereto, and delivered the same at the Table, which being read.

The House adjourned to Ten o'Clock To-morrow Morning.

March 9, 1758.

The House took up the Bill for granting to his Majesty a Duty of Tonnage, &c. and, having spent some Time thereon, adjourned to Three o'Clock, *P. M.*

The House having gone through the second Reading of the Bill for granting to his Majesty a Duty of Tonnage, &c. the same was agreed to, and ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 10, 1758.

The Bill for granting to his Majesty a Duty of Tonnage, &c. being transcribed, was read the third time.

Then the House adjourned to Four o'Clock, *P. M.*

Debates arising on a certain Clause in the Bill for granting to his Majesty a Duty of Tonnage, &c. after some Time spent therein, they adjourned to Ten o'Clock To-morrow Morning.

March 11, 1758.

The Bill for granting to his Majesty a Duty of Tonnage, &c. being altered, was again read, and agreed to.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wayne* and Mr. *Saunders* wait upon the Governor therewith for his Assent to the same.

Ordered, That authentic Copies of the late Supply Bills of the Three Lower Counties be procured for the Use of this House, and that Mr. Speaker do issue his Order for obtaining the same from the public Records of the said Counties.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 13, 1758.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for granting to his Majesty a Duty of Tonnage, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 14, 1758.

The House taking into Consideration the Secretary of State's Letter, laid before them by the Governor, and his Honour's Message attending the same,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Masters*, Mr. *Baynton*, Mr. *Melvin*, Mr. *Morton*, Mr. *Carpenter* and Mr. *Yorke* be a Committee to prepare and bring in an Answer to the Governor's Message of the Eighth Instant.

Then the House adjourned to Four o'Clock, *P. M.*

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Eighth Instant, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was agreed to by the House, and ordered to be transcribed.

The Answer to the Governor's Message being transcribed accordingly, was signed by Mr. Speaker, by Order of the House, and is as follows, *viz.*

May it please your Honour,

IT was with Hearts filled with Loyalty and Gratitude to our most gracious Sovereign, that we received his Royal Orders for the most vigorous and extensive Efforts for the Defence of his *American* Dominions in general, and of this Province in particular. After the last inactive and unhappy Campaign,

as well of the King's regular Troops, as of the military Force of this Province, the vigorous Measures his Royal Wisdom is determined to prosecute against the common Enemy, cannot but give us the most sensible Pleasure. This we esteem one among many demonstrative Proofs of his Majesty's Royal Care and paternal Regard for his Subjects in this Part of his Dominions; and we should think ourselves wanting in our Duty to the best of Kings, did we not embrace this Opportunity to return him our most humble and sincere Thanks for the gracious Protection he hath hitherto afforded us in common with the rest of his *American* Colonies, and for his mild and paternal Instructions, which he hath transmitted to us in his Secretary of State's Letter.

We are sensible, that Vigour, Unanimity and Dispatch, in the Colonies, are absolutely necessary to crown, with Success, his Majesty's Measures for their Protection and Defence; and your Honour may assure yourself, that nothing, on our Parts, which can be expected from the most loyal, zealous and faithful Subjects, shall be wanting to co-operate with his Majesty's Forces in their offensive Operations in these Parts of his Majesty's Dominions.

At the Time your Honour laid before us the Secretary of State's Letter, of the 30th of *December* last, we were upon a Bill for granting a Sum of Money to his Majesty's Use, for fitting out the Provincial Ship of War for protecting our Trade, which now lies before you for your Assent; and upon his Excellency the Earl of *Loudoun's* Application, had further resolved, by a Land-Tax, to furnish the Crown with Seven Hundred Men for the ensuing Campaign; besides the Forces we judged necessary to remain in Garrison on our Frontiers, referring your Honour to your other Government to complete the Number of Eight Hundred Men, requested of you by his Lordship: But upon receiving the abovementioned Letter, we are determined to comply with his Majesty's most gracious Demand of this Colony, and to encrease that Number, as far as the present distressed Situation of the Province, and Abilities of its Inhabitants, will permit; and we are accordingly preparing a Bill to be presented to your Honour for that Purpose, to which we hope you may be at Liberty to give your most hearty Concurrence; not doubting your Honour will think it your Duty to apply to your other Government to exert themselves on this extraordinary Occasion.

Signed by Order of the House,

March 14, 1758.

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Owen* and Mr. *Grubb* wait on the Governor, and deliver the foregoing Message to his Honour.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 15, 1758.

The Members appointed to wait on the Governor last Night, with the Answer of the House to his Honour's Message, of the Eighth Instant, reported, they had delivered the same according to Order.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *Eighty Thousand Pounds*, &c. and, having read Part thereof by Paragraphs, adjourned to Ten o'Clock To-morrow Morning.

March 16, 1758.

The House went again upon the Consideration of the Supply Bill; and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House took up the Supply Bill, a Part of which was read and considered.

The Governor, by *William Peters*, Esq; sent down to the House a Copy of the Conference held Yesterday with *Teedyuscung*, and other *Indians*, in the Council Chamber, which being read, and some Time spent in the Consideration thereof,

Ordered, That Mr. *Norris*, Mr. *Masters*, Mr. *Strickland*, Mr. *Carpenter*, Mr. *Ashbridge*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Yorke* be a Committee to prepare a Message to the Governor, upon *Indian Affairs*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 17, 1758.

The Committee appointed Yesternight to draw up and bring in a Message to the Governor on *Indian Affairs*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was agreed to by the House, and ordered to be transcribed.

And the said Message to the Governor being transcribed, was signed by Mr. Speaker, and is as follows, *viz.*

May it please your Honour,

WE find, by the Minutes of your Conference with *Teedyuscung*, on the Fifteenth Instant, which you were pleased to

lay before us Yesterday Afternoon, that far distant Tribes of *Indians* have freely entered into our Alliance, and wait for nothing but the faithful Performance of the Articles of Peace, stipulated on your Part on the Treaty held at *Easton*, to join heartily in the *British* Interest.

On this important Occasion, when the Peace of this and the neighbouring Colonies, and the Success of his Majesty's Arms in the ensuing Campaign. seem deeply interested in your Deliberations, we do assure you, that to effectuate these good Purposes, and strengthen your Hands, we will chearfully contribute every Thing, which can be reasonably expected from us, to confirm the *Indians* in their good Dispositions towards us, and we think it our indispensable Duty to put you in mind of your Promises to them, that we may heartily join in demonstrating our good Faith by our Actions, and making it their true Interest to preserve a perpetual Intercourse and Peace with us, and all other his Majesty's Subjects in *North-America*.

March 17, 1758.

Signed of Order of the House,
THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Smith* and Mr. *Blackledge* wait on the Governor, and deliver the foregoing Message to his Honour.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order.

The House then took up the Supply Bill, and, after some Time spent in the Consideration thereof, recommitted the same to the Committee which brought it in, for the Addition of an explanatory Clause respecting the Mode to be observed by the Assessors in estimating Property.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 18, 1758.

The Committee to whom the Supply Bill was recommitted for an explanatory Clause, reported the same to the House, which was read, and admitted into the Bill.

The Governor, by the Deputy Secretary, sent down to the House a Letter from General *Abercrombie*, dated March 15, 1758, with the following verbal Message. *viz.*

"General *Abercrombie*, his Majesty's Commander in Chief in *North-America*, having signified by his Letter of the Fifteenth Instant to the Governor, received by Express last

Night, that his Majesty's Service requires an Embargo to be forthwith laid on all Ships and Vessels in this Port, his Honour has accordingly done it. And I am commanded by his Honour to lay that Letter before you for your immediate Consideration, and he most earnestly recommends it to you to comply with the Demand therein made with the utmost Dispatch."

The said Letter from General *Abercrombie* being read, follows in these Words, *viz.*

S I R,

New-York, March 15, 1758.

BY circular Letters from Mr. Secretary *Pitt* (bearing Date at *Whitehall*, December 30, 1757,) to all his Majesty's Governors on the Continent of *North-America*, from *Pennsylvania* inclusive to the Southward, which Letters arrived here on the Fourth Instant, by the *Squirrel* Ship of War, and were immediately forwarded to you by Express from Lieutenant Governor *De Lancey*, you will find, Sir, that the King having judged proper that the Earl of *Loudoun* should return to *England*, his Majesty, at the same Time, was pleased to appoint me to succeed his Lordship as Commander in Chief of the King's Forces in *North-America*, with the same Powers and Authorities; and you will likewise find, that in Pursuance of that Appointment it was his Majesty's Pleasure, that all his Governors on the Continent should apply to, and correspond with, me, on all Matters relating to the King's Service; in Consequence of which Pleasure so signified to you, and repeated to me, I am to recommend to you to use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, as large a Body of Men within your Government, as the Number and Situation of its Inhabitants may allow; all which has already been strongly recommended to you by his Majesty's Secretary of State, as likewise several other Matters contained in that same Letter, which, for the Sake of Brevity, I shall avoid repeating, and solely refer myself to, as it is so full, that I do not think it can want any Additions; so far I will venture to go for your further Guidance, as to fix the Number of Provincial Troops, that may be wanted for his Majesty's Service in these Quarters, to Six Thousand, to be furnished by *Virginia*, *Maryland* and *Pennsylvania*, in such Proportions, and upon the Terms, set forth in the above quoted Letter of Mr. Secretary *Pitt*, to his Majesty's Governors in *North-America*.

I am, at the same Time, to acquaint you, that as it is absolutely necessary for his Majesty's Service, that an immediate Embargo should be laid on all Ships in the different Ports of the respective Provinces in *North-America*; and as you have already been forewarned, that whenever such Directions should be transmitted to you by his Majesty's Commander in Chief in these Parts, you should, without any the least Difficulty, comply therewith, I make no Doubt, that upon Receipt hereof you will forthwith publish the said Embargo, which is to hold good until such Time as you receive Notice from me to take off the same, which you may depend on being transmitted to you as soon as his Majesty's Service will allow of it.

I have nothing further to add, but to desire that you will give me the earliest Notice possible of the Success you meet with in your Application to your Council and Assembly, and what Resolutions they are likely to come to upon the Subject of the Troops to be raised by them, conformable to his Majesty's Directions, especially as the Season is so far advanced, and there is no Time to lose. I am, with great Regard,

Sir, Your most obedient humble Servant,

JAMES ABERCROMBIE.

P. S. The Embargo took Place in this Port Yesterday."

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 20, 1758.

The House met, pursuant to their Adjournment.

The Governor, by Mr. Secretary, returned to the House the Bill for laying a Duty of Tonnage, &c. with his Amendments thereon, which were read, and referred to further Consideration: The Secretary also brought down a written Message from his Honour, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'WHEN I consider that this Province in a great Measure owes its quick Rise and flourishing State to Commerce, and the great Encouragement given to Trade, I cannot avoid expressing my Apprehensions to you, lest the Bill lately presented to me for laying a Duty on the Tonnage of Vessels, may prove very injurious to your Constitutents in its Consequences. I therefore could have wished you had at least fallen on Measures of laying Taxes that might have come in Aid, and

lessened the Weight of the Burden, that by this Bill will be imposed on Trade: However, as you have considered this Matter, and think such a Bill necessary, I have sent it down with such Amendments as appear to me proper and reasonable. You will observe, that I have struck out of the Bill such of the Commissioners as are Members of your House, who, I must further inform you, have, on several Occasions, heretofore, in the Course of their Conduct, as Provincial Commissioners, treated me with so much Disregard, that it is impossible I can for the future transact any Business with them.

March 20, 1758.

WILLIAM DENNY."

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 21, 1758.

The House resuming the Consideration of the Governor's Amendments on the Tonnage Bill, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Supply Bill, which being in Part read, and some Time spent therein, they adjourned to Ten o'Clock To-morrow Morning.

March 22, 1758.

The House went again upon the Supply Bill, and, after some Debate thereon, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Supply Bill, and a Difference of Opinions arising on particular Clauses thereof,

Ordered, That *Mr. Fox, Mr. Galloway, Mr. Masters, Mr. Hunt, Mr. Strickland, Mr. Gibbons, Mr. Carpenter and Mr. Yorke* be a Committee to reconsider and amend the said Clauses, agreeable to the Sentiments and Instructions of the House, and report the same To-morrow Morning.

Then the House adjourned to Nine o'Clock To-morrow Morning.

March 23, 1758.

The Committee appointed to reconsider and amend certain Clauses in the Supply Bill, reported, they had made an Essay for that Purpose, which they delivered at the Table, and the same being read, were agreed to by the House, and admitted in the Bill.

The Governor, by *James Young, Esq;* Paymaster of the

Provincial Forces, sent down to the House a Copy of the Minutes of a Conference held Yesterday, in the Council Chamber, with *Teedyuscung*, &c. and a written Message to the House, which being read, follows in these Words, *viz.*

GENTLEMEN,

'I LAY before you the Minutes of Yesterday's Conference with *Teedyuscung*. You will find, at the Close, he reminded me of the Promises made to him at *Easton*, of an Allowance for Ministers and School-Masters, for the Use of the *Indians*, when they should be settled at *Wyoming*; and has now made a further Request, that two Persons might be allowed them, for the Management of their Affairs in general. As they only stay in Town to receive my Answer, I desire you will enable me, as soon as may be, to give them a satisfactory One, that our friendly *Indians* may see the Government does not refuse them any reasonable Request.

March 23, 1758.

WILLIAM DENNY."

The House taking the above Message from the Governor, and the Minutes of Yesterday's Conference, into Consideration, after some Debate thereon,

Ordered, That Mr. *Hughes* and Mr. *Plumsted* wait on the Governor, and acquaint him, that the House being of Opinion, that the Requests of the *Indians*, contained in his Honour's Message, are of very great Importance to his Majesty's *American Service* in general, and to the Safety and Interest of this Province in particular, they incline to reconsider the *Indian Bill* lately offered to the Governor, and send it up again for his Assent, as the only Means in their Power of enabling the Governor to comply with his Promises to the said *Indians* at *Easton*, as well as with the Requests they have since made of this Government.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait upon the Governor with the Message of the House, reported, they had delivered the same, according to order; and that his Honour was pleased to say, it was very well.

The House then taking into Consideration his Majesty's Royal Orders, signified to them by the Secretary of State's Letter, and being sincerely disposed to comply with the same to the utmost of their Abilities,

Resolved, That immediate Provision be made for Raising, paying and Cloathing Two Thousand Seven Hundred effective Men, Officers included, to act in Conjunction with a Body of

his Majesty's *British* Forces, and the Forces of *Maryland*, *Virginia*, and the Lower Counties on *Delaware*, in such offensive Operations as shall be carried on and prosecuted by his Majesty's Commander in Chief, in these Parts, during the ensuing Campaign.

Resolved, That the Men already raised, and in the Pay of this Government, be a Part of the Number to be furnished by the foregoing Resolve.

Resolved, That it is the Opinion of this House, that there be allowed to each able-bodied Man, entering voluntarily into the said Service, the Sum of *Five Pounds*, as a Bounty for his Enlistment.

Resolved, That it is the Opinion of this House, that there be allowed to each Officer, properly authorized, the Sum of *Twenty Shillings* for each able-bodied Volunteer he shall enlist into the said Service.

Then the House adjourned to Three o'Clock To-morrow Afternoon.

March 24, 1758.

Upon Motion,

That a Copy of the Resolves of Yesterday be made out, and sent to the Governor, and that a Message to his Honour, upon the said Resolves, be wrote to accompany them, together with another short Message, respecting the Release of our suffering Fellow-Subjects, in Captivity with the *Indians*, the same were accordingly done; and the said Messages being read, were agreed to by the House, signed by Mr. Speaker, and are as they respectively follow, *viz.*

May it please your HONOUR,

WE his Majesty's faithful and loyal Subjects, the Representatives of the People of this Province, taking into our Consideration the Demands of our most gracious Sovereign, and being sincerely disposed to comply with them to the utmost of the Abilities of this young Colony, and conscious that we cannot do his Majesty, and the good People of this Province, a more effectual Service, than by joining with Vigour and Resolution in the offensive Operations, planned by our Sovereign for the Protection and Defence of his *American* Subjects, have chearfully agreed to raise, clothe and pay Two Thousand Seven Hundred Men for this great and necessary Purpose, in full Hope that, under the Blessing of divine Providence, his Majesty's Arms will be crowned with Success, and Peace be once more restored to this unhappy and distressed Province.

In doing this, we have not so much attended to the Poverty and Inability of our Constitutents, as to their present imminent Danger, the Necessities of the Times, and the great Prospect there is of relieving them from their present unhappy Circumstances by one united and vigorous Effort. And therefore, animated with a Zeal for the Execution of his Majesty's Orders, in which the Safety of this Colony, and the Preservation of *America*, are so intimately concerned, we have agreed to furnish on this interesting and important Occasion, more Men than a full Share, according to the Proportions required of this Province, *Maryland* and *Virginia*, notwithstanding the Country has been drained of its single Men (our Servants not excepted) by the great Numbers that have been enlisted into his Majesty's Service, and many others that have entered on board the Privateers of this and the neighbouring Provinces.

It is also the Opinion of this House, that *Five Pounds* be given as a Bounty to every able-bodied Man that shall voluntarily enter into the Service of the Province, and *Twenty-Shillings* to the Officer for every such Man he shall enlist.

The House, earnestly solicitous that this Province may be distinguished among the Colonies for its Loyalty, Ardour and Zeal, in promoting so great an Undertaking for the Defence and Preservation of *America*, beg Leave to recommend it to your Honour, that you would exert your utmost Endeavours, and leave no Method unessayed, that may tend to raise the Men in such Time, that they may be ready to march to the Place of Rendezvous by the First of *May*, agreeable to his Majesty's Royal Orders: To accomplish which, we apprehend nothing can so effectually contribute, as a strict and speedy Compliance on your Part with his Majesty's wise and gracious Commands, in "issuing Commissions to such Gentlemen of the Province, as shall be judged from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men."—We know from Experience, on the one Hand, that unless the Officers are such as are agreeable to the People, no Bounty that the Province is able to pay will procure the Number of Men wanted in Time; and on the other, if his Majesty's Royal Command is pursued, it will greatly "facilitate this important Service."

March 24, 1758.

Signed, by Order of the House,

THOMAS LEECH, *Speaker.*"

May it please your Honour,

WE beg Leave to observe, that by the Minutes of the Conferences laid before us from Time to Time, since the Treaty of *Easton*, it does not appear that any effectual Measures have been taken to recover our Fellow-Subjects from the Captivity they are under with the *Indians*, with whom a Peace has been long since concluded, nor even to remind them of their Engagements to restore them. We therefore think it our Duty to recommend it to your Honour, before the *Indians* depart from this City, to make some Enquiry after the Captives, and to take such Measures as shall be most likely to restore them to their Country, Families and Friends. We also think it absolutely necessary for the Welfare of this Province, and the Promotion of his Majesty's *Indian* Interest in *America*, that a friendly and kind Invitation should be given to the Chiefs of each of the eight Tribes of *Indians*, that have, by a late Messenger, shewn an Inclination to enter into an Alliance with his Majesty, and to take up Arms against his Enemies, that some of them would, when it was convenient to them, take an Opportunity of visiting this Government, and further ratifying the great Work of Peace, so happily begun, and now almost perfected. The good Effects this Province has already felt, and his Majesty's Interest in general is like to receive from the late Conferences with them, are such Proofs of the good Policy of such an Invitation, that we hope we need not add any Thing further to enforce it.

March 24, 1758. Signed, by Order of the House,
THOMAS LEECH, Speaker."

Ordered, That Mr. *Wayne* and Mr. *Plumsted* wait on the Governor therewith, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 25, 1758.

The Members appointed to wait on the Governor with the two Messages of last Night, and the Resolves of the House, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he received them very kindly.

The Committee appointed to revise and continue the Act for extending several Sections of an Act of Parliament, &c. reported, they had made an Essay for that Purpose, which

they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Remonstrance of *Samuel Preston Moore*, Esq; Provincial Treasurer, was presented to the House, read, and referred to further Consideration.

An Address from the Trustees and Treasurer of the *Friendly Association for regaining and preserving Peace with the Indians, by pacific Measures*, was presented to the House and read, offering the Loan of a Sum of Money to the Government, for defraying Expences incurred by some late Conferences with *Teedyuscung*, &c. and such other Expences as may hereafter arise in negotiating *Indian Affairs*, till further Supplies shall be granted for the public Service.

And the said Address being considered,

Ordered, That the Thanks of this House be given to the said *Friendly Association*, for their seasonable and generous Offer.

Resolved, That this House do recommend to the Provincial Commissioners to borrow of the said *Friendly Association* such Sum or Sums of Money as may be sufficient to answer the present *Indian Demands*; and that they (the Representatives) will use their Care and Endeavours to secure the Repayment thereof, when further Supplies shall be granted for defraying the Expences of the current Year.

The House then resumed the Consideration of the Supply Bill; and, after some Time spent therein,

Resolved, That the Sum of *One Hundred Thousand Pounds* be given to his Majesty's Use, for defraying the Expences of the current Year.

A Petition from sundry Inhabitants of the City and County of *Philadelphia* was presented to the House and read, praying to be nominated Signers of the Paper Currency to be emitted by the Bill for that Purpose now under Consideration of the House.

The Supply Bill having been read the second time, and considered by Paragraphs, was agreed to, and ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 27, 1758.

Mr. Speaker and several of the Members met, pursuant to Adjournment; but one more being wanted to make a Quorum, they adjourned to Ten o'Clock To-morrow Morning.

March 28, 1758.

Mr. Speaker with several of the Members met again, pursuant to Adjournment; but one more being still wanted to complete a Quorum,

Ordered, That Mr. Norris and Mr. Pearne have Notice, by a special Messenger, to give their Attendance this Afternoon.

The Members then adjourned to Three o'Clock, *P. M.*

The Members met, pursuant to their Adjournment, and a Quorum now appearing, the Bill for granting the Sum of *One Hundred Thousand Pounds* to the King's Use, was read the third time.

The Governor, by Mr. Secretary, sent down to the House two written Messages, with some Papers therein referred to, and the said Messages being read, are as they respectively follow, *viz.*

GENTLEMEN,

'I HAVE ordered the Secretary to lay before you Extracts of Letters I lately received from Brigadier General *Forbes*, containing Demands of several important Matters to be done by this Province, for the facilitating and forwarding the Expedition to the Westward, and earnestly recommend it to you to take the same into your Consideration, and make speedy Provision for this necessary Service.

'The Mayor has acquainted me, that Quarters are demanded for One Thousand and Seventy-two Men, including Forty Officers; of which Two Hundred and Twelve are already in Town, and the rest expected in a Day or two. As the Public-houses in the City and Suburbs cannot at most contain more than Six Hundred, I desire you would be pleased to give Directions that the Barracks be forthwith made ready, and furnished with such Necessaries as are required in Quarters, and particularly that a proper Quality of Straw and Wood be ready against the Arrival of the other Troops.

'Some Time ago I desired one of your Members to acquaint the House, that the Act for Quartering of Soldiers would expire at the End of this Sessions, that it might be renewed; and I now remind you that this is the Case with respect to the Act for regulating Carriages, to be employed in his Majesty's Service. A Number of Waggon's will be wanted for the Expedition, which will make it necessary for you to fix the Prices of Carriages and Horses, without confining the Hire, as in the late Act, to the inhabited Parts of the Province, or limiting it to a Day, or any certain Time.

'Many of the Arms given to the Provincials being very bad,

and unfit for Use, I propose to supply them out of the public Magazine in this City, and desire you would make Provision for the Expence that will attend the Carriage of them.

March 28, 1758.

WILLIAM DENNY."

GENTLEMEN,

'BEFORE I received your Message of the Twenty-fourth Instant, in Answer to mine of the Day before, I intended to have spoke to *Teedyuscung*, and to have taken my Leave of him in public; but, on his acquainting me that the Messengers had heard of the Arrival of some Parties of *Cherokee* Warriors in *Virginia*, and were uneasy to be dispatched, that they might put the *Indians* who sent them on their Guard, with respect to these Parties, I did not think it proper to detain them for a formal Conference, but gave them my Answer as soon as it could be got ready.

'You will see by the Minutes now laid before you, that I reminded *Teedyuscung* of the Prisoners remaining among the *Indians*, assuring him it would give great Satisfaction to me, the Council, Assembly, and all the People of the Province, to see as many of them brought here as was possible. This I said in the Presence of the Messengers, and other *Indians*. To himself much more was said, intending it should likewise be said in their Presence; but he advised me to the contrary, telling me that these Messengers would return instantly with agreeable Answers from the *Indians*, and till then no more need be said, and it would do more Harm than Good.

'No Opportunity has offered, since the Treaty of *Easton*, for my taking any Measures respecting the Restoring of the Prisoners, more than reminding *Teedyuscung* of his Engagements on this Account, which I have not failed frequently to do, though not formally, as that would have answered no Purpose. The very first Opportunity that offers with these or any other *Indians*, shall be very heartily embraced, and the Matter urged upon them with all the Zeal and Care in my Power.

'Not knowing how far an Invitation to the Chiefs of these eight Tribes of *Indians*, who it seems live at great Distances from one another, might interfere with the Measures taken by his Majesty's Commander in Chief, or Sir *William Johnson*, the Superintendant of *Indian* Affairs in this District, I have not ventured to make it; but have transmitted to the General Copies of the Conferences, and of your Message, and mentioned the Advantages that would arise from such Invitation, desiring his Advice therein.

'I have likewise dispatched a Messenger to Colonel *Washington*, or the commanding Officer of the *Virginia Forces*, at *Winchester*, with an Account of these Conferences, and the good Disposition of the *Indians*, and desired it might be forthwith communicated to the *Cherokees*, and they be requested to have Regard thereto in their future Excursions.

March 28, 1758.

WILLIAM DENNY."

The Papers delivered by Mr. Secretary, with the foregoing Messages, were Extracts from General *Forbes's* Letters to the Governor, of the Twentieth and Twenty-third of this Instant; requesting that the Forces raised in this Province, for the King's Service, be able-bodied Men, furnished with the best Arms to be procured in the Province; and that as many as may be, of the said Forces, be Carpenters, and good Ax-Men: Likewise, that this Government would supply Fifty good Men, well mounted, upon tight, serviceable Horses, and every way accounted, to serve in Conjunction with those to be furnished by the other Provinces, as a Body of Light Horse, from whom very important Service may be expected.

Also a Message delivered to Mr. Secretary, for the Governor, by *Teedyuscung*, requesting his Honour would dispatch the Messengers who came down with him, back to the *Indians*, with the good News of what has been done here, and that other Messengers be sent immediately to the *Cherokees*, to inform them of the Alliance concluded with eight more *Indian Tribes*, living near, and some even among the *French*.

And lastly, a Copy of the Minutes of a Conference held with *Teedyuscung*, at the Governor's House, on *Saturday*, the Twenty-fifth of this Instant.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 29, 1758.

The Supply Bill being read the third time, and the Commissioners Names inserted,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Morton* and Mr. *Carpenter* wait on the Governor therewith for his Assent to the same.

The Committee appointed to revise and continue the Bill for regulating the Hire of Carriages, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Members appointed to wait on the Governor with the Supply Bill, reported, they had delivered the same according to Order; and that his Honour was pleased to say, as it was a Bill of great Consequence, he would take it into immediate Consideration, and give it all the Dispatch in his Power.

The Governor, by Mr. Secretary, sent down the following verbal Message to the House, *viz.*

"That Colonel *Haldimand* had waited on his Honour, and requested an Hospital for a Number of sick Soldiers, ordered to this City, Twenty-five of whom are already arrived, and in immediate Want thereof, and the rest expected To-morrow: Also Quarters for a Body of his Majesty's Troops coming here in a few Days, whom all the Public-houses in the City and Suburbs have not sufficient Room to accomodate: This his Honour had applied to the Mayor to provide an Hospital for the said Purpose; but he being unable to procure the same, the Governor now recommends the Provision of one to the House, and that they would also give Orders to have the Barracks made ready, and furnished with proper Quantities of Straw and Wood, for Quartering the said Troops."

Resolved, That this House do recommend to the Provincial Commissioners to make Provision of an Hospital, and Quarters for his Majesty's Troops, agreeable to the Demand of Colonel *Haldimand*, and Recommendation of the Governor.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for continuing an Act for extending several Sections of an Act of Parliament, passed in the Thirty-first Year of the present Reign, entituled, *An Act for the Punishment of Mutiny and Desertion*, &c. being read the second time, was agreed to, and ordered to be transcribed.

The Committee appointed to revise the Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province, reported, they had examined the said Act, found it was expired, and were of Opinion the same ought to be renewed: Whereupon the said Bill being twice read, was ordered to be transcribed for a third Reading.

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Morton* and Mr. *Yorke* be a Committee to alter and amend the Bill for regulating the Hire of Carriages, to be employed in his Majesty's Service, and to report the same to the House To-morrow Morning.

A verbal Message to the Governor from the Assembly:

"The House, desirous that the Waggon and Carriages which may be expected of this Province by his Majesty's Com-

mander in Chief, for carrying on and facilitating the Expedition to the Westward, should be procured in due Time, and with as much Ease and Conveniency to the Inhabitants as possible, recommend it to the Governor to write to Brigadier General *Forbes*, that he may acquaint the Governor in Time with the Number of Waggon, Carriages and Horses that will be wanted, and that his Honour would, as soon as Notice be given to him thereof, take the necessary Steps, and employ such Persons, who, from their Weight and Influence with the People, can procure them with Expedition, and will chearfully undertake that Service, if requested by the Governor."

Ordered, That Mr. *Wayne* and Mr. *Plumsted* wait on the Governor with the said verbal Message, and deliver the same.

The Accounts of Mr. *Joseph Armstrong*, for Provisions, &c. purchased by him for the use of General *Braddock's* Forces, by Order of a former Assembly, were laid before the House, read, and referred to the Committee of Accounts, to consider and report the Commissions, which it may be reasonable to allow thereon to the said *Armstrong*, for his Trouble in that Service.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 30, 1758.

The Members appointed to wait on the Governor with the verbal Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he was much obliged to the House for their Message, that it was impossible for him to tell what Number of Carriages and Horses might be wanted for the Expedition to the Westward, but he would not fail to write to General *Forbes*, for Information in that Point, at Ten o'Clock this Forenoon, by the Post.

The Committee appointed to bring in the Bill for regulating the Hire of Carriages, reported, they had essayed the Alterations directed by the House, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Bill for regulating the Officers and Soldiers, commissioned and raised by the Governor for the Defense of this Province; and the Bill for extending several Sections of an Act of Parliament, passed in the Thirty-first Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army in their Quarters*, being both transcribed, and read the third time,

Resolved, That the said Bills do pass.

Ordered, That Mr. *Hughes* and Mr. *McConnaughy* wait on the Governor therewith for his Assent to the same.

The Members appointed to wait on the Governor with the said two Bills, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them into Consideration, and give them all the Dispatch in his Power.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for regulating the Hire of Carriages, &c. which being in Part read by Paragraphs, and debated, they adjourned to Ten o'Clock To-morrow Morning.

March 31, 1758.

The House resumed the Consideration of the Bill for regulating the Hire of Carriages, and having spent some Time therein, ordered the same to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.*

Mr. *Galloway*, having obtained Leave of the House, brought in a Bill entitled, *An Act for preventing Abuses in the Indian Trade*, &c. which he delivered at the Table, and the same being read the first time, was ordered a second Reading.

The House then taking into Consideration Brigadier General *Forbes's* Request of Fifty good Men, well mounted, on tight, serviceable Horses; and that the Roads may be repaired and widened, for the better passing of Carriages; after some Time spent therein, a Message to the Governor was wrote at the Table, ordered to be transcribed, and follows in these Words, *viz.*

May it please your Honour,

THE House taking into their Consideration your Honour's Message of the Twenty-eighth Instant, and the Request made by Brigadier General *Forbes*, and being sincerely desirous that every Measure may be taken that may tend to expedite and facilitate the important Operations now carrying on against our common Enemy, beg Leave to recommend it to your Honour, that you would comply with the General's Request, in furnishing him with "Fifty good Men, well mounted, on tight, serviceable Horses," out of the Men directed to be raised by the Bill now before you; and that you would forthwith issue your Orders to the Sheriffs of the several Counties, directing them to give Notice to the Overseers of the Roads, where the King's Troops are likely to march, to amend such of them as are in the interior Parts of the

Province, and to widen and repair the Road from *Lancaster*, leading towards *Williams's* Ferry, on *Potomack*, fit for the Carriages of Cannon, &c. agreeable to the General's Directions; And that the same may be done in Time, we apprehend it will be expedient, that Orders should be given to a proper Number of the Troops, in the Pay of the Province, to assist in this necessary Work, in the County of *Cumberland*, as many of its Inhabitants have been driven from their Plantations. And, with respect to Carpenters and Ax-Men, we are informed there are many among the Men already in the Province Service; but should it, on Enquiry, prove otherwise, we doubt not your Honour will take the necessary Steps to procure them.

We have now before us a Bill for regulating the Hire of Carriages, which we expect will be presented To-morrow to your Honour for your Approbation."

And the said Message being signed by Mr. Speaker,

Ordered, That Mr. *Trimble* and Mr. *Saunders* wait on the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 1, 1758.

The Members appointed to wait on the Governor with the Message of last Night, reported they had delivered the same according to Order.

The Petition of *George Adam Gamelin* was presented to the House and read, praying an Amendment of the Law passed in the Eighth of *GEORGE*, allowing the Privilege of a special Court to a Defendant, who, by Reason of his sudden Departure out of this Province, shall require a speedy Determination of his Suit, upon a Petition to the Court.

Referred to further Consideration.

The Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, being read the third time, and compared at the Table,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor therewith for his Assent to the same.

The House then took up the *Indian Trade* Bill, which being read the second time, and debated by Paragraphs, was agreed to, and ordered to be transcribed.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 3, 1758.

The House met, pursuant to their Adjournment.

The Governor, by the Secretary, sent down the Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, &c. with Amendments: Also the Bill for extending several Sections of an Act of Parliament, passed in the Thirty-first year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters*, with one Amendment thereon: Likewise the Bill for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province, with a verbal Message, that his Honour was ready to pass the two last mentioned of the said Bills, whenever presented to him for that Purpose.

Mr. Secretary further delivered, with the said Bills and Amendments, a written Message from the Governor to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I HAVE considered the Bill for *granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit, and for providing a Fund for sinking the said Bills of Credit by a Tax on all Estates real and personal, and Taxables within this Province*, and have given it all the Dispatch which the Length and Importance of it would admit of, and now return the Bill to you, with a few Amendments.

'You will find that I have struck out such Parts as relate to the Assessing and Taxing the Proprietary Estate in common, and in the same Mode with the rest of the Inhabitants of this Province. You are not, however to understand by this, that I mean or wish to exempt their Estate from being taxed. This is what they themselves do not desire. On the contrary, they are willing that every Tract of Land within the Province, surveyed and appropriated for their Use, should bear an equal and proportionable Share of any Burdens that may be imposed on the People in the necessary Defence of this and his Majesty's other Colonies. By the Bill the Estates of the People are to be rated and assessed by Assessors elected by them for that Purpose. This Mode you think a very equitable one, and that it would be unreasonable that the People should be taxed by any others than such as they chuse and approve of. I conceive, Gentlemen, the same Justice is due to your Proprietaries, and that it would be equally unreasonable their Estate should be assessed and valued by Persons in whose Nomination or Ap-

pointment they or their Deputy have not the least Share. This would be to exclude them from the Rights and Advantages you think ought to be granted to the meanest of his Majesty's Subjects. I should have amended the Bill on the above Plan, with regard to the Taxation of the Proprietary Estate, and proposed Commissioners to be inserted for that Purpose, had I not been apprehensive that it might have retarded the Passing it at a Time when our Duty to our gracious Sovereign, ourselves and our Country require it should not be delayed a single Moment. But I now offer you, that, if a separate Bill of this Sort is approved of by you, I will, on my Part, chearfully concur with you in it.

'Having, in my Message to you of the Twentieth of last Month, relating to the laying a Duty on Tonnage, &c. objected to five of the Commissioners named therein, and declared to you, that they had, on several Occasions heretofore, in the Course of their Conduct, as Provincial Commissioners, treated me with so much Disregard, that it was impossible I could for the future transact any Business with them, I cannot but express my Astonishment to find that they are, notwithstanding, named as Commissioners in this Bill. I would fain hope, Gentlemen, this was not intended to obstruct the Passing a Bill so necessary at this critical Juncture. It is with great Reluctance I am once more obliged to inform you, that I never can consent to their being again appointed Provincial Commissioners. Besides their extraordinary Behaviour towards me, and the strong Objection I have often urged against appointing any of your own Members to be Commissioners, I must acquaint you that they, on several Occasions, have laid out and expended divers Sums of the Money heretofore given, by Act of the Legislature, to his Majesty's Use, without previously obtaining my Consent, or even consulting me, which was a manifest Violation of their Trust, and expressly contrary to the Directions of the Law. They have, moreover, had Meetings among themselves, without summoning or giving Notice to Mr. *Lardner* and Mr. *Mifflin*, their Brother Commissioners, who are first named in the Law, and had equal Power and Trust with them. They have likewise neglected to inform me of the State of their Accounts, or how they have applied the King's Money, though I long since demanded it of them; so that I know not to this Day in what Manner it has been expended, or what new Contracts may have been made by them. At the late Treaty held at *Easton*, wherein Peace was concluded with the *Indians*, being informed that they had bought, with

the Money given for his Majesty's Use, a Parcel of Goods, and brought them to that Place to be disposed of in Presents to the *Indians*, I demanded of them a List of such Goods, and the Amount of them, that I might be enabled therefrom to form a better Judgment how to conduct myself towards the *Indians*, or what Expectations to give them on an Occasion so interesting to his Majesty and this Province; in Answer to which they were pleased to tell me, that they would in due Time, prepare and lay before me a List of such Goods. This, however, was delayed a long Time, and was all the Satisfaction I could obtain from them, till after the Conclusion of the Treaty. Under these Circumstances, I should be inexcusable to his Majesty, and the Public, in vesting, with new Powers, Persons who, in so many Instances, have acted in direct Opposition to their Duty prescribed by the Law by which they were appointed; I am therefore under the disagreeable Necessity, Gentlemen, of insisting, that you insert in the Bill some other Persons, in their Stead, well qualified for so high a Trust, which, in so populous a Country as this is, I presume you can be at no Loss to do.

'I shall have Regard to the General's Request, of furnishing him with Fifty Light Horse, out of the Men directed to be raised by the Bill, as soon as that Bill shall be passed into a Law, and hope you will give it all possible Dispatch, as the Season for Action is advancing very fast. The several Matters requested by you in your Message of the Thirty-first of last Month, shall have my particular Attention.

April 3, 1758.

WILLIAM DENNY."

The Governor's Amendments on the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. together with the single One on the Bill for extending several Sections of an Act of Parliament, passed in the Thirty-first Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion*, &c. being read,

The House adjourned to Ten o'Clock To-morrow Morning.

April 4, 1758.

The House resumed the Consideration of the Governor's Amendments on the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and, after some Time spent therein, the following Question was put, *viz.* Whether the Clause in the said Bill, taxing the Proprietary Estate in common with the other Estates of this Province, shall be

continued as a Part thereof?—And the same was resolved in the Affirmative by a great Majority.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for preventing Abuses in the *Indian Trade, &c.* being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

The House then resumed the Consideration of the Governor's Amendment on the Bill for extending several Sections of an Act of Parliament passed in the Thirty-first Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, &c.* and having answered the said Amendment, by inserting a few Words in the Bill,

Ordered, That Mr. *Grubb* and Mr. *Hunt* wait upon the Governor with the said Bill, and the Bill for preventing Abuses in the *Indian Trade, &c.* for his Honour's Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 5, 1758.

The Members appointed to wait on the Governor with the two Bills sent up last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into Consideration, and give them all the Dispatch in his Power.

The Committee of Accounts, to whom the Consideration of Mr. *Joseph Armstrong's* Account had been referred by the House, reported thereon as follows, *viz.*

WE, your Committee, having examined the within Accounts, find a Balance due to Mr. *Joseph Armstrong*, of *Five Pounds Ten Shillings and Nine-pence*, and are of Opinion, he ought to be allowed a Commission of *Two and an Half per Cent*, on the whole Sum, amounting to *Forty Pounds Nine Shillings and Three-pence*, which we, however, submit to the House.

DANIEL ROBERDEAU,

RICHARD PEARNE."

JOSEPH FOX,

Five of the Provincial Commissioners, Members of Assembly, having taken Notice of sundry Charges exhibited against them in the Governor's Message of the Third of this Instant, and having thereon desired and obtained Leave of the House to bring in a written Defence or Vindication of their Conduct against the said Charges; the same was accordingly drawn up, delivered at the Table, and being read, follows in these words, *viz.*

The ANSWER of five of the PROVINCIAL COMMISSIONERS, to the several Charges made against them to the House in the GOVERNOR'S Messages.

Mr. SPEAKER,

WE thankfully acknowledge the Justice of this House, in giving the Provincial Commissioners the Liberty of making their Defence against the unjust Charges and Accusations contained in the Governor's Message of the Third Instant; and beg Leave, in Vindication of our injured Reputations, to remark thereon.

First, in general, that the Governor has not ventured, with all his Heat and private Resentment against us, to accuse us with appropriating any Part of the Public Money to our own Uses, and not to Purposes directed by the Law, and for his Majesty's Service, nor even that we have drawn Orders for any improper Services whatsoever. Had we in the least Degree failed in this essential Part of our Trust, no one can doubt but his Honour would with the same Pleasure have exhibited it against us, as a Part of our Charge. But it is with Satisfaction that we can, from a conscious Sense of a faithful, industrious and honest Discharge of our Duty, call on the Governor, and every of his Council, who are concerned with him in this wicked Attempt to injure our Reputations, to point out a single Instance of such a Breach of Trust. Until this shall be done, we rest satisfied, that by this House, and the honest and impartial Part of Mankind, we shall be deemed grossly injured in our public Characters, and unjustly accused.

The first Charge exhibited against us is, "that we had, on several Occasions, in the Course of our Conduct as Provincial Commissioners, treated him with so much Disregard, that it was impossible he could for the future transact any Business with us." We humble conceive, that in every Place where Justice is not an entire Stranger, it is a fixed and invariable Rule, that every Charge, even against an Individual, and much more a public Body, ought to be made with that Precision and Certainty, that he may with Safety answer, and, if innocent, be capable of refuting it; and that it should be fully proved by something more than mere Assertion. But how widely has the Governor strayed from these essential Rules of Justice! This Charge is a general one, and points out no particular Fact to which we can answer, does not assert the Manner in which we have "treated him with Disregard," and stands supported by his Assertion only, which we apprehend ought not in the least Degree to affect

the Reputation of any Person whatsoever. General Charges are like Stabs in the Dark, which the most innocent Man, or skilful Swordsman, cannot guard against or parry, as he cannot know at what particular Part the Lunge will be made. What the Governor means by our "treating him with Disregard," we cannot conjecture. In our public Conduct we are conscious that we have never been guilty of this high Offense, unless a conscientious Discharge of our Duty to the People, and the Trust they had reposed in us, and therein differing in Sentiments with the Governor on sundry Occasions, may be termed so. By the Law appointing us Provincial Commissioners, we had a Right, nay, it was our Duty to dissent from the Governor in every Matter, in which we apprehended he did not pursue the Country's Interest and Welfare. Indeed this was the very Design of our Appointment, otherwise there could be no Use in appointing Commissioners at all. That we have repeatedly, from a sincere Regard for the People's Interest, differed in Sentiments from the Governor, and refused to defray the Expence of many Projects, which we conceived could answer no useful Purpose, and were rather calculated to squander the Public Money entrusted to our Care, than do the Public Service, we acknowledge. Numerous Instances of this Kind might have been given by the Governor, had it suited his Purpose. A few of them at present we think it our Duty to mention.

The Governor, on the Thirteenth Day of *May* last, did request, that we would defray the Expence of erecting a Fortification at *Ray's-Town*, "to be garrisoned with 500 Men, in the Pay of the Province." When we considered the advanced Situation of this Place towards the Enemy, its great Distance from the inhabited Parts of the Province, the vast Sum of Money which must be necessarily expended in erecting a Fortification there, the Expence of escorting Provisions to support 500 Men, and the great Difficulty of defending it when finished, we rejected the Proposal,—as it was manifest it would require more Money than was at that Time subject to our Draughts for defraying the whole Expence of the Year, and could only serve to waste the public Money, answer the private Purposes of Individuals, and to load the Country with a Debt it could not possibly bear. We have also thought it our Duty to refuse to comply with the Governor's earnest Request, of throwing into the Hands of the Military Officers Sums of Money, from Time to Time, to be disposed of by them as they should think proper, without ever knowing to what Use they were to be appropriated: This we appre-

hended we could not answer to ourselves, nor the Public, as it would be giving up that Share in the Position of the Money the Law invested us with, which would be a Violation of our Trust indeed; yet such an one as the Governor, we are assured, would never have complained of. It is with Reluctance that we are also obliged to declare, that we have been so bold, from Time to Time, as we frequently found it our indispensable Duty, whenever the public Interest and Welfare demanded it, to remonstrate, with Decency, to the Governor, the great Neglect of the Military Service, which was obvious to every Body, and under his immediate Notice; the Disregard shewn to the Law, in not issuing Ranging Orders as it expressly enjoined; and in not recruiting the Battalions until long after the Time of the Enlistments was expired; also the distressed and bleeding Situation of the Frontiers, occasioned by these Neglects, while the Troops were sleeping in Garrison, without the necessary Orders for ranging and protecting the Inhabitants. This we apprehend every Subject had a Right to do; but when it is considered that we were entrusted with the Money which was to pay the Provincial Troops, that Right seems to be changed into an Indispensable Duty. In these, and such like Transactions only, we have given the Governor Disgust. If this be "treating him with Disregard," we confess we have done it, incited thereto from a conscientious Discharge of our Duty to the Public; if not, we hope we shall be presumed innocent of the Charge, until the Governor shall be just and generous enough to point out some particular Facts, to which we may answer, and from which we may vindicate our injured Reputations, which he has unjustly attempted to sacrifice to his private Resentment.

The second Charge is, that we "have laid out and expended divers Sums of Money heretofore given to his Majesty's Use, without previously obtaining the Governor's Consent, or even consulting him." If this Accusation contained the least Degree of Truth, we have certainly deviated much from our Duty, and acted inconsistent with the Directions of the Law. But this Charge is of the same Nature with the other, a general one, and can only be denied or answered generally. 'Tis rather calculated to wound the Reputation of the Innocent, than to give them an Opportunity of a Vindication. We are not conscious that we have ever drawn Orders for any Sums of Money for Purposes not particularly specified in the Law, and approved of by the Governor. But, on the contrary, we have ever been so cautious and careful, knowing that every little Slip, or inadvertent Mistake, would be con-

strued into the most heinous Offence, as not only to consult the Governor, but to lay many Matters before the House, to whom we apprehend we are accountable for our Conduct, before we would draw Orders to defray their Expence, as this House can testify. 'Tis true, the Governor not attending the Board, the Commissioners were obliged to settle Accounts, and draw Orders, agreeable to the Directions of the Law, in the Governor's Absence; but never, to our Knowledge, for any Purposes to which he had not agreed or given his previous Consent, either by Letter, directed to the Board, or by having signed an Order for the like Service. This was strictly agreeable to the Practice and Manner of transacting the Public Business, settled and agreed on by the late Governor *Morris*, and former Boards of Commissioners, and has never been altered or objected to by the present Governor. Their Method was, "for the Governor and Commissioners to agree on the Service for which Money was necessary; then the most considerable Contracts are laid before him for his Approbation, or recommended by him to the Board, and those Agreements and Approbations are entered on the Minutes. The Commissioners, only, afterwards have ever settled the Accounts, which is troublesome enough, and given Orders for the Payment, in Pursuance of such previous Agreements and Contracts, and the Direction of the Law. They would be glad if the Governor would attend the Board, and assist in settling the Accounts, and transacting the Business, but that would take up too much of his Time, and is therefore impracticable. And it would be useless to give him the Trouble of signing every Order, when he cannot spare Time to examine the Accounts, upon which the Orders are founded." And could he spare Time, the Law does not render his signing necessary, provided his Approbation be obtained in any other Manner. 'Tis fortunate for us, that all the Contracts and Purposes to which the Public Money hath been appropriated, together with the Governor's Agreements to, and Approbation of, them, appear on our Minutes, and are, we hope, more than a sufficient Refutation of the Governor's unjust and groundless Accusations. And we further declare, That, to our Knowledge, we never did, either directly or indirectly, draw Orders at any Meeting, without Directions being given to the Clerk for summoning the whole Board, and, as we believe, without *Lynford Lardner* and *John Mifflin*, Esquires, the two Commissioners of the Governor's Council, he so much approves of, having Notice to attend*. This is

*See the Clerk's Affidavit.

all the Answer the Nature of this general Charge will admit of, and we hope will be satisfactory to the House, and every impartial Mind, until the Governor shall act so far on the Principles of Justice, as to be more particular herein, and point out the Sum that has been thus expended, "contrary to Law, without obtaining his Consent, or even consulting him."

The third Charge is, "that we have neglected to inform the Governor of the State of our Accounts, or how we had applied the King's Money, though he had long since demanded it of us." 'Tis true, some short Time before this Session of Assembly, the Governor did desire that the Commissioners would lay their Accounts before him. 'Tis also as true, that the Board was so far from having any Design to conceal their Transactions from the Governor, that they gave immediate Orders to the Clerk to furnish him with them as soon as possible; and as the Clerk had in every other Instance acted with the greatest Care, we did not doubt but it had been done. How it happened to be neglected, we beg Leave to refer this honourable House to the Examination of their own Clerk, who at that Time was the Clerk of the Board. It seems, though the Books were put into the Hands of the Governor's Secretary's Clerk, and some Progress made therein, yet it was by some Means forgot by the Clerk of the Board to be sent to the Governor, without the least knowledge or Privity of ours. We cannot help remarking, that there appears in this Transaction and Charge, a fixed Design to ensnare us. For had the Governor ever called on the Clerk (which perhaps was the properest Application to procure the Minutes or Accounts of a Board, of which he constituted one Half, and whose Officer the Clerk was, as well as the Commissioners) or had given us the least Intimation of the Omission, the Board, though they never met regularly after, would have reminded the Clerk of it, and had it done. From whence it would seem, that the Omission was more pleasing to the Governor, than a Compliance with his Request. Besides, it seems strange to us that he should exempt from this Charge the two Commissioners, Members of his Council, whose Duty it was equally with us to enquire into this Omission. If there be any Crime in this Neglect, and it is imputable to the Commissioners, we leave it to the Governor's great Impartiality to give a Reason, why the same Fact is Innocence in them, but construed, in us, to an heinous Offence.

As to the fourth Charge, that being "informed the Commissioners had bought, with the Money given for his Majesty's Use, a Parcel of Goods, to be disposed of in Presents to the *Indians*, he (the Governor) demanded a List of such Goods,

and the Amount of them, that he might know how to conduct himself towards the *Indians*, which was delayed a long Time." By the Manner of making this Charge, it would seem as if the Commissioners had purchased these Goods without the Governor's Consent. The Facts relating to this Transaction will clear up that Insinuation, and are as follow: The Governor, by his Letter to the Commissioners, dated the Eleventh of *July* last, informed us of the Number of *Indians* expected at the Treaty, and "desired that we would provide Presents in Proportion to their Numbers, a List of which should be shewn to Mr. *George Croghan*, for his Approbation." A List was accordingly made out, and shewn to *George Croghan*, the King's Deputy Agent for *Indian* Affairs, and the Goods, under the Care of the Commissioners, carried up to *Easton*, where we attended on the Public Service, by the Direction of this House. On the Twenty-sixth of *July* the Governor "desired we would furnish him with a List of the Goods provided for the *Indian* Presents;" to which the Commissioners returned the following Answer:

SIR,

"We have indeed brought up a Parcel of Goods, purchased for the Use of the Province, which we shall be ready to join with your Honour in disposing of to the *Indians*, whenever the present Treaty is brought to an Issue, that will justify us to our Constituents in such Disposition of them, and in due Time we shall prepare a List of the Goods to be laid before you, being heartily desirous to concur with you in every Thing that will conduce to the public Utility."

The uncertain Circumstance and gloomy Prospect the Conference was then under; the great Disgust *Teedyuscung* had taken, in being refused the natural and reasonable Privilege of a Clerk to take down the Minutes of the Conference on his Part; the Art made use of by the Proprietary Agents to divert and prevent the *Indians* from prosecuting their Claim to the Lands which they assert they have been deprived of by Fraud; and the Uneasiness they discovered at other Schemes, that were then prosecuting, rendered it very uncertain what Quantity, if any, of the Goods, the Commissioners could justify themselves in giving at that Time, as they, with many others of the sensible and judicious Part of the People, despaired of any good Effects flowing from the then Measures; and rather apprehended that the Consequence would have been a more cruel and barbarous War, than a happy and fortunate Peace. However, on the Thirtieth of the same Month, these Measures being in some Degree laid aside, and a better Prospect presenting itself, a List, which had been before made out by the

Orders of the Board, was delivered by the Clerk to *John Mifflin*, Esq; one of the Governor's Council, by whom he repeatedly communicated with us. The Conference did not end until seven Days after, so that if the Governor had not the List till after it was over, as he declares, how he can with Justice impute this Neglect to us, and not to the Commissioner to whom the Clerk delivered the List, we are at a Loss to judge. For the Truth of these Facts we beg Leave to refer this honourable House to our Minutes, and the Examination of our Clerk.

Thus much we have thought it necessary to say at present, in our Vindication against the unjust, trifling and groundless Charges exhibited against us by the Governor, without the least Shadow of Reason or Proof to support them; Charges that have no other Foundation but his private Resentment, occasioned by our exercising our Judgments in the Discharge of a most important Trust, and because we could not pay the same implicit Obedience to his Direction and Will, as he has declared he is bound to do to the Instructions of the Proprietaries. Had we joined with his Honour in every extraordinary Scheme that he proposed to us, however inconsistent with our Duty, the Law, and the People's Welfare, these Charges, we are convinced, would never have been thought of; but, on the other Hand, the Monies entrusted to our Care would have been laid out, as we are ready to make it appear, to Purposes from which the People and Province would have received no Kind of Benefit or Advantage. We shall only add, that we hope these Facts will satisfy the House, until the Governor shall do us the Justice as to ascertain his general Charges in such Manner that we may know what they are, and have an Opportunity of answering them. And whenever that shall be done, we hope we may be able to shew, from the most evident Proofs, that we have been actuated by no other Motives but the general Good and Welfare of the People, and how to lay out the Money, entrusted to our Disposition, with the best Oeconomy and Justice to the Public. And that we have been so far from wittingly misapplying it, or appropriating any Part thereof to our own Use, that some of us are in considerable Advance, out of our private Fortunes, for his Majesty's Service.

April 5, 1758.

WILLIAM MASTERS,
JOSEPH FOX,
JOHN BAYNTON,
JOHN HUGHES,
JOSEPH GALLOWAY."

The CLERK'S AFFIDAVIT.

WHEREAS the Governor hath been pleased, in his Messages to the Assembly, of the Twentieth of last Month, and Third of this Instant, to charge five of the Provincial Commissioners, Members of Assembly, not only with Disregard of him on several Occasions, but also of the following Instances of Breach of Duty, *viz.*

1. That, "at the late Treaty held at *Easton*, wherein Peace was concluded with the *Indians*, being informed that they (the said Commissioners) had bought, with the Money given for his Majesty's Use, a Parcel of Goods, and brought them to that Place to be disposed of in Presents to the *Indians*, he, (the Governor) demanded of them a List of such Goods, and the Amount of them, that he might be enabled therefrom to form a better Judgment how to conduct himself towards the *Indians*, or what Expectations to give them on an Occasion so interesting to his Majesty and this Province; in Answer to which, they were pleased to tell him, that they would, in due Time, prepare and lay before him a List of such Goods. This, however, was delayed a long Time, and was all the Satisfaction he could obtain from them, till after the Conclusion of the Treaty."

2. That the said Commissioners (Members of Assembly) "have, moreover, had Meetings amongst themselves, without summoning or giving Notice to Mr. *Lardner* and Mr. *Mifflin*, their Brother Commissioners, who are first named in the Law, and had equal Power and Trust with them."

3. That "they have likewise neglected to inform the Governor of the State of their Accounts, or how they have applied the King's Money, though he long since demanded it of them; so that he knows not to this Day in what Manner it has been expended, and what new Contracts may have been made by them."

And whereas, since the above Messages, the Governor hath been further pleased, in Conversation with two of the said five Commissioners (Members of Assembly), at his own House, to reproach them with having been mean enough to get the Clerk of the Board to take their Faults upon himself, and pretend they were Consequences of his own Neglect and Forgetfulness; I, who have acted as Clerk to the Provincial Commissioners, and been present at, and taken Minutes of, almost all the Transactions of that Board, do therefore, in Justice to the Characters of the said five Commissioners (Members of Assembly) solemnly, sincerely and truly testify, de-

clare and affirm, that I did, by Direction from the said Commissioners, on the Thirtieth Day of *July* last, to the best of my Remembrance, deliver a List of the said *Indian Goods*, as demanded by the Governor five Days before, into the Hands of *John Mifflin*, Esq; then at the Governor's Lodgings in *Easton*, where I was attending on other Business of the Commissioners.

I do moreover declare and affirm, that the Provincial Commissioners, on the Second Day of *April*, 1757, the fourth time they met after their Appointment, when all were present except *Lynford Lardner* and *John Hughes*, Esquires, did make, agree to, and order to be inserted on their Minutes, the following Resolve, *viz.*

"That the Members of this Board, or a Majority of them, do for the future meet regularly on *Tuesdays* and *Fridays* every Week, at Nine o'Clock precisely, in the Committee Room, or Council Chamber, for transacting Business, and that the Clerk give his Attendance accordingly."—A general Rule for the Meetings of the Board being thus established, it could not be necessary, or a Duty incumbent on the Clerk, to call the Members together, except by particular Order from some of them, when special Meetings were required on the intermediate Days, for dispatching Business, not to be postponed: In which Cases I solemnly declare and affirm, that I never received from any of the said five Commissioners (Members of Assembly) the most distant Direction, or even a Hint, to omit giving due Notice thereof to their Brother Commissioners of the Governor's Council; nor did I ever fail herein, to the best of my Knowledge, Recollection and Remembrance, except once, through Forgetfulness, with *John Mifflin*, Esq; who nevertheless, having by some other Means received Notice of the Meeting, attended the Board, enquired why he had not been summoned, was acquainted with the Reason, and heard my Apology for the Omission.

I do further declare, testify and affirm, that I received Orders from the said Commissioners (Members of Assembly), upon their Receipt of the Governor's Letter of the Twenty-ninth of *December* last, demanding a State of their Accounts, to make out from the Minutes of the Board a List of all the Orders, with their several Uses, drawn by the Provincial Commissioners on the Trustees of the General Loan-Office for the *Hundred Thousand Pounds*, granted last Year to the King's Use, and when finished, to deliver the same to the Governor: In Pursuance of which Order, I did, a few Days after, put

the Minutes of the Board into the Hands of *Robert Levers*, the Governor's Secretary's Clerk, and employed him to make out the said List, being myself at that Juncture, and ever since, too closely engaged in the Service of the House for such an Undertaking. About a Week or ten Days after, the said *Levers* brought to me an unfinished Essay towards such a List, and through my great Hurry and Want of Time to compare it just then with the Minutes of the Board, as well as the Orders themselves in the Hands of the Trustees, before it could be completed, the Matter was deferred to a more leisure Interval, and afterwards entirely forgot, till revived by the Charges in the Governor's Message of the Third of this Instant, when I did, by a second Order from the said five Commissioners, carefully revise, collate and finish the said List with all convenient Dispatch, and on the Sixth following presented the same to the Governor with my own Hand; and likewise delivered to him, from a Consciousness of my Neglect, a written Apology for the Delay, dictated and voluntarily drawn up by myself, unadvised by, and unknown to, any of the said Commissioners, whose Reputation the Governor seems to suspect I have been prevailed on to skreen at the Price of my own.

CHARLES MOORE."

'Affirmed this 24th of April, 1758,
before WILLIAM PLUMSTED, Esq;'

The House resumed the Consideration of the Governor's Amendments on the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, and the Question being put, Whether the House do adhere to their Bill? the same was resolved in the Affirmative by a great Majority.

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* wait on the Governor with the said Bill, and acquaint him, that the House adhere to the same.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and to acquaint his Honour, that the House adhered thereto, reported, they had done the same according to Order.

A Petition from a considerable Number of the Trading Part of the Citizens, and others, was presented to the House and read, setting forth the mischievous Effects apprehended from the Bill lately under Consideration of this House, for im-

posing a Duty of Tonnage on all Vessels, &c. and praying that the same may not be enacted into a Law.

Whereupon the House resumed the Consideration of the said Bill; and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

April 6, 1758.

The House went again upon the Consideration of the Bill for granting to his Majesty a Duty of Tonnage upon all Ships and other Vessels; also certain Duties upon Wine, Rum, Brandy, and other Spirits, &c. and, after some Time spent therein, the said Bill was dashed.

Ordered, That Mr. Norris, Mr. Hughes, Mr. Melvin and Mr. Yorke be a Committee to bring in a new Bill for the said Purposes, more agreeable to the Sentiments of the House.

The Governor, by Mr. Secretary, sent down the Bill for preventing Abuses in the *Indian Trade*, &c. with the following verbal Message, *viz.* "That as soon as his Honour is satisfied by the Commissioners that the *One Thousand Pounds*, mentioned in the said Bill to be laid out in Goods, and consigned to *John Carson*, at *Fort Augusta*, have been so expended, he shall be ready to pass the said Bill whenever offered to him for that Purpose."

The Secretary also delivered a Letter from Sir *John St. Clair*, Deputy Quarter Master, to the Governor, dated *Philadelphia, April 5*, requesting his Honour to give Directions for establishing two good Horses at each of the following Stages, *viz. Trenton Ferry, Philadelphia, New-Castle, Dover, Lancaster and York*; and acquainted the House, the Governor earnestly recommended to them a Compliance with the said Request.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration Sir *John St. Clair's* Letter to the Governor, and having spent some Time therein, a Message to his Honour was drawn at the Table agreed to, and follows in these Words, *viz.*

May it please your HONOUR,

UPON considering the Request made by Sir *John St. Clair* to your Honour, that you would establish two good Horses at *Trenton Ferry, Philadelphia, New-Castle, Dover, Lancaster and York*; we think it so reasonable and necessary for his Majesty's Service, that we earnestly request the Governor to take the proper Measures to comply therewith, at the several Places within this Government. To defray the Expence of this, and other necessary Transactions for the King's Service, a Bill now lies before your Honour for your Concurrence, to

which we earnestly desire the Governor's Assent, as the Season for military Operations advances fast.

Signed by Order of the House,

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Melvin* and Mr. *Saunders* wait on the Governor, and deliver the foregoing Message to him.

The Members returned, and reported, they had delivered the said Message according to Order.

Mr. *Fox*, one of the Provincial Commissioners, appointed by that Board to lay out a *Thousand Pounds* of the Public Money in *Indian Goods*, to be consigned to *John Carson*, Agent at *Fort Augusta*, for opening a Trade with the *Indians*, on Account of the Province, in Pursuance of the Message sent down by the Governor in the Forenoon, with the *Indian Bill*, delivered at the Table an Account of the Application of the said Sum to the above Purpose, which was read, and the House being satisfied therewith, as clearly and properly stated,

Ordered, That Mr. *Fox* and Mr. *Hughes* wait on the Governor with the said Account, whereby his Honour may be also satisfied that the said Sum hath been applied to the Use for which it was deposited in the Hands of the said Commissioner.

The Committee appointed to bring in a Bill for laying a Duty of Tonnage on all Ships and other Vessels &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Members appointed to wait on the Governor with an Account of the Application of *One Thousand Pounds*, lodged in the Hands of Mr. *Fox*, to be laid out in suitable Goods for opening a Trade with the *Indians* at *Fort Augusta*, in Behalf of the Government, reported, that, in Obedience to the Order of the House, they had waited on his Honour, and attempted to deliver the said Account, with the Message committed to their Charge, but the Conduct and Behaviour of the Governor, and the Treatment they met with from him, were of such an extraordinary Nature, they thought it their Duty to communicate it to the House in Writing, and the same being read, follows in these Words, *viz.*

BEING admitted into the Governor's Room, Mr. *Fox*, addressing himself to his Honour, said, Sir, As you were pleased to send a Message to the House this Morning, in which you desired to be informed of the Application of the *One Thousand Pounds*, allotted by yourself and the Provincial Commissioners, for opening a Trade with the *Indians* at *Fort Au-*

gusta, we have waited on your Honour with an Account of the Goods purchased for that Use, and sent up to Mr. *Carson*, Agent at the said Fort; and also lay before you the said *Carson's* Receipt for such Goods, to the Amount of *Eight Hundred and Thirty-four Pounds*, and here is my Acknowledgment of the Balance, which I am ready to pay, as your Honour may think most proper, either to Mr. *Carson*, or into the Hands of the Provincial Commissioners.—The Governor, interrupting Mr. *Fox*, replied, Sir, your Eloquence is very great—Sir, your Eloquence is very good; but let it be short.—It is very good, Sir,—but let it be short.—Your Account will speak for itself, I suppose.—What Sort of Treatment is this to a Governor?—Half an Hour ago, or a Quarter of an Hour, or Twenty Minutes, or less, I received a Message from your House (holding a Paper in his Hand); —why this is strange Treatment to a Governor: What! shall I not have Time to do the Public Business?—I was just now considering your Message, and here comes another.—This Treatment to a Governor?—This Treatment to a Governor? Whereupon Mr. *Hughes* said, Sir, your Honour mistakes us; we come by Order of the House. Here the Governor interrupted Mr. *Hughes*, and said, Very pretty!—very pretty, indeed!—What do the House mean?—Who is to judge of the Mistake? You, Sir?—You, Sir?—Sure!—You, Sir?—Very pretty Treatment, indeed, to a Governor! not to give me Time to do the Public Business. Then turning himself to Mr. *Fox*, and making a low Bow, further said, Sir, leave your Paper. It will speak for itself, and I will consider it upon which Mr. *Fox* said, Sir, here it is—and will speak for itself. The Governor replied, O! yes, Sir, your Eloquence is very great; but less of it.—It is very good, but no Matter how short, Sir.—Mr. *Fox* then put down the Paper on the Table, and said, Here is the Account, and I am ready to settle. Aye, Sir,—Aye, Sir, (answered the Governor) you have a good deal to settle,—you have a great deal to settle;—you keep back your Accounts,—you refuse your Accounts to me, though you are mean enough to get your Clerk to take it on himself, and say it was a Neglect of his. Whereupon Mr. *Fox* was going to reply, but the Governor prevented him, by saying, Aye, Sir,—aye, Sir, you are very eloquent,—you are very good, Sir, and if you will look in a Glass, you will see your own Picture. He then desired us to Speak the Truth after we left the Room; to which Mr. *Fox* replied, Sir, I defy your Honour, or any Man else, to charge me with the contrary; and we withdrew.”

The House taking the foregoing Report of Mr. *Fox* and Mr. *Hughes* into Consideration,

Resolved, N. C. D. That it is an undoubted Right of this House, either by themselves, or any of their Members, to have free Access to, and decent Treatment from, the Governor, on the Public Business, at all seasonable Times.

Resolved, N. C. D. That the Manner of the Governor's receiving the Members of this House, and the Treatment he gave them, when they were about to deliver their Message, tary, and such as hath an evident Tendency to subvert and were extremely unbecoming his Station, indecent, unparliamentary, destroy that Freedom of Access which the Representatives of the Freemen of this Province have a Right to, and without which the Affairs of Government cannot be transacted.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 7, 1758.

The Governor, by Mr. Secretary, sent down the Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, with a verbal Message, that he was ready to pass the same, whenever presented to him for that Purpose.

The Secretary likewise brought down the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and acquainted the House, that the Governor adhered to his Amendments thereon, and that on *Monday* next the Assembly of the Lower Counties was to meet by Summons from his Honour, and would require his Presence.

With the said two Bills, and verbal Messages, Mr. Secretary further delivered a written Message from the Governor to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'I RECEIVED Yesterday, by two of your Members, the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with a verbal Message, that the House adhered to the Bill; which is all the Notice you have been pleased to take of the Amendments, or my Message of the Third Instant, sent with them. When I reflect that the wise and vigorous Measures formed by our most gracious Sovereign for the Protection of his Subjects in these Colonies, must be defeated, and thereby this and the neighbouring Provinces again be exposed to the cruel Incursions of our merciless Enemies, unless the Supplies demanded of each Government, for carrying into Execution the Plan of Operations concerted by his Majesty, are granted, I cannot but

be greatly concerned, that a Bill so important in its Consequences, should be obstructed, or meet with the least Delay. Give me Leave to observe to you, Gentlemen, that the Taxation of the Proprietary Estate hath already been the Subject of much Altercation, in which a great deal of precious Time has been lost. To solicit, and bring this unhappy Contest to a final Decision before our Superiors, an Agent hath been appointed, and sent Home, on the Part of the Assembly; and in the mean Time the Dispute hath been permitted to sleep, and a Supply Bill passed by the Legislature, wherein the Proprietary Estate hath been altogether exempted. This being the Case, I was not a little surprised to find a Foundation laid for new Debates, by a Clause inserted in the above Bill for taxing the Proprietaries; and that too, at a Time when Unanimity and Vigour in our Councils are so absolutely necessary. Permit me to remind you, Gentlemen, that our indispensible Duty to the best of Kings, a Regard to our own Interest, and every Motive that can actuate *British* Subjects, and Lovers of their Country, demand it of us, on the present Occasion, to bury, or at least suspend, all former Heats, and to guard against every Thing that can possibly impede the vigorous Efforts his Majesty is determined to make against his Enemies the ensuing Campaign; on the Success of which, the very Being of this Province may depend. That nothing might be wanting on my Part, I have offered every Thing in my Power, consistent with my Duty.—So far from being desirous to exempt the Proprietary Estate from bearing a Share in the public Burthen, I proposed to you, in my last Message, to concur with you in taxing all their located and appropriated Tracts, provided Commissioners were appointed in the Bill for that Purpose, such as should be approved of by both of us; and I intended, if any Difficulties should arise about the Commissioners, further to propose, that an equal Number should be nominated by you and me. This was a Proposal so equitable, that I did not doubt your Acceptance of it; and I am at a Loss to know what Reasons could move you to reject it. I once more make you the like Offer, and hope, on reconsidering the Matter, you will either concur with me in it, or suffer the Bill to pass, as others of the like Kind heretofore have, exempting the Proprietary Estate till the Point is settled and adjusted on the other Side of the Water. It would be very disagreeable to me to enumerate the Reasons I gave you, in my former Message for objecting to five of the Persons named in the Bill for Provincial Commissioners;

they are so strong and full, that it is unnecessary to say any Thing in Support of them. I cannot help lamenting it, however, as a public Misfortune, that you did not turn your Attention to the raising Supplies for the Service of the current Year, before the Season was so far advanced: You must do me the Justice to acknowledge, that I have not failed frequently to put you in mind of the Necessity of making such timely Provision. I pressed you on this Subject, in my Message to you of the Seventeenth of *October* last, at your first Meeting; and at your next Meeting in my Messages of the Third, the Thirteenth, and Twenty-fourth of *January*, and Eighth of *March*, when I laid before you the Letter I received from his Majesty's principal Secretary of State. It may not yet be too late to exert ourselves, and do every Thing incumbent on us to comply with his Majesty's just and reasonable Demands. But if any Charge of Delay should be imputed to this Province, it is a great Satisfaction to me, that no Part of the Censure can justly lie at my Door.

April 7, 1758.

WILLIAM DENNY."

Ordered, That the Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, to which the Governor hath given his Assent, be engrossed.

The House taking into their most serious Consideration the Supply Bill, returned by the Secretary, and the Governor's verbal Message, that he adhered to his Amendments thereon; and having also duly weighed the Proposal contained in the foregoing written Message from his Honour, respecting the Taxation of the Proprietary Estate, after some Time spent therein, the Question was put, Whether the House do adhere to their Bill? And the same was resolved in the Affirmative, by a great Majority.

Mr. *Fox* presented at the Table a Letter he had just received from Colonel *Haldiman*, Commanding Officer of the King's Troops here, complaining of a great Want of Necessaries at the Barracks for the sick Soldiers; and reported, that he had been himself with the Colonel to the Barracks, and finding the Complaint not altogether groundless, he had been desired by him, and had engaged to represent the same to the House.

Resolved, That it is the Opinion of this House, and recommended by them to the Provincial Commissioners, that they do make Provision at the Barracks of the Necessaries required in Quarters, for the better Accommodation of his Majesty's Troops.

Ordered, That Mr. Galloway, Mr. Roberdeau and Mr. Masters be a Committee to draw up a Remonstrance to the Governor, upon his Refusal of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c.

Then the House adjourned to Four o'Clock, *P. M.*

The Committee appointed to draw up a Remonstrance to the Governor, reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was agreed to, after some Amendments, and ordered to be transcribed.

The Governor, by Mr. Secretary, sent down the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, with the following verbal Message, *viz.*

"The Governor returns the Bill, entituled, *An Act for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, and observes, that it is not the same which was presented to him at first, and will pass it if the Word [*Eight*] be inserted, instead of the Word [*Twelve*] in Page 4, Line 11, as Colonel *Haldimand* has declared to his Honour that no more can conveniently be put into one Room, without endangering the Health of the Soldiers. The Letter of the Commanding Officer of the King's Troops is sent herewith."

The House taking into Consideration the said Letter, and the Message from the Governor,

Ordered, That Mr. Roberdeau and Mr. Yorke wait on the Governor with the said Bill, and acquaint his Honour, that instead of his proposed Amendment of [*Eight*] the House are willing to admit the Word [*Ten*] into the Bill.

The Members return, and report, that they had waited on the Governor with the said Bill, and the Message from the House, and delivered the same according to Order; to which his Honour was pleased to say, he would consult with the Officers thereon, get their Opinion in Writing, and Communicate the same to the House.

Then the House adjourned to Nine o'Clock To-morrow Morning.

April 8, 1758.

The Remonstrance of the House to the Governor, on his Refusal of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. being transcribed, was signed by Mr. Speaker, by Order of the House, and follows in these Words, *viz.*

May it please your HONOUR,

WE his Majesty's most dutiful, faithful and loyal Subjects, the Representatives of the People of the Province, in General Assembly met, do hereby earnestly remonstrate to your Honour;

That on the Eighteenth of *March* your Honour laid before us a Letter from General *Abercrombie*, containing the first Notice we had of the Number of Troops that was expected from these Colonies; and in a few Days after, we resolved to furnish and pay as large a Proportion of Men as this Province could possibly supply, Thirteen Hundred whereof are now ready to join the King's Forces; and on the Twenty-ninth of the same Month we presented to your Honour a Bill, granting *One Hundred Thousand Pounds* to the King's Use for this Purpose, which you have thought proper twice to reject, notwithstanding the Season for military Operations is so far advanced, that his Majesty's Service must be greatly injured and retarded thereby.

That the Mode proposed by your Honour of taxing the Proprietary Estate, is without Precedent in our Mother Country, anti-constitutional, and inconsistent with the Rights of the People: That his Majesty, and the Peers of the Realm of *Great-Britain*, do not insist upon a Right of appointing Commissioners with the other Branch of the Legislature, for taxing their Estates; but, on the contrary, have wholly left to the Commons the Right of nominating Commissioners in their Supply Bills, which admit of no Amendment; and therefore we can only look on this Proposal as calculated to exempt the Proprietary Estate from bearing an equal and just Proportion of the necessary Taxes at this critical and important Juncture, contrary to Justice and Equity.

That we have, from a Spirit of Loyalty and Gratitude to the best of Sovereigns, in Pursuance of his most gracious and paternal Requisition, at a Time when the People are labouring under an heavy Burthen of Taxes, agreed to furnish and pay Two Thousand Seven Hundred Men, in order to assist his Majesty's regular Troops in the offensive Operations he is resolved to prosecute for the Defence of this and

his other Colonies; and to enable your Honour to discharge your Duty herein to the Crown, we have presented a Bill, granting *One Hundred Thousand Pounds* to his Majesty's Use, for this Purpose.

That the Right of granting Supplies to the Crown is in the Representatives of the People alone, as an essential Part of our Constitution, and that the Bill is framed agreeable to Justice and Equity in all its Parts, as well with respect to the Proprietaries as others, and not repugnant to the Laws of our Mother Country, but as nearly agreeable thereto as our different Circumstances will admit.

That as the Bill presented to your Honour was a free Gift of the People of this Province to the Crown, at the special Request of his Majesty, for the general Defence of *America*, we apprehend that the Governor's refusing to permit us thereby to grant Supplies for the Defence and Protection of the Colonies, unless we exempt the Proprietary Estate from paying its just Proportion, is inconsistent with his Duty to the Crown, the Heighth of Injustice, Ingratitude to the best of Kings, and an arbitrary Invasion of the Rights of the People.

The House is resolved to adhere to the Bill, and preserve their own and the Rights of their Constituents, and therefore they once more present this Bill to your Honour, for your Assent; and, in the Name of our most gracious Sovereign, and the distressed and oppressed People we represent, we insist that your Honour accept of the Number of Men granted, and the Supplies offered to the Crown for raising and paying them, and give your Assent to the Bill we now present, as you shall answer the rejecting so considerable an Aid, in the present important Operations, to his Majesty and his Parliament.

April 8, 1758.

Signed, by Order of the House,
THOMAS LEECH, *Speaker.*"

Ordered, That Mr. Roberdeau, Mr. Pearne, Mr. Hunt, Mr. Melvin, Mr. Saunders, Mr. M'Connaughy and Mr. Plumsted wait on the Governor, and deliver the foregoing Remonstrance, together with the Bill for granting *One Hundred Thousand Pounds* to the King's Use; and that they acquaint his Honour, the Bills to which he has given his Assent, will be ready to be passed by Four o'Clock in the Afternoon.

The Members return, and report, they had delivered the Remonstrance of the House, with the Supply Bill, to his Honour, and that he was pleased to say, he had before re-

jected the said Bill, by the unanimous Advice of his Council, and returned the same to one of the Members; but on being acquainted that it was unparliamentary, he received it again.

Ordered, That Mr. *Pearne* and Mr. *Hunt* join with two of the Members of Council in comparing the engrossed Copies of the Bills, to which the Governor hath given his Assent, with their Originals.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to join with the Gentlemen of the Council in comparing the three Bills to which the Governor hath given his Assent, reported, they had done the same, and found them to agree.

The Governor, by the Secretary, again sent down the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, with a verbal Message, that his Honour adhered to his Amendments thereon, having been again assured by Colonel *Haldimand*, that the Rooms in the Barracks will not accomodate a greater Number of Men than Eight in each, without manifest Danger to the Lives of the King's Troops.

Mr. Secretary also brought down a second time the Supply Bill, with the following verbal Message, *viz.*

"The Governor returns the Bill, entituled, *An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit, in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all the Estates, real and personal, and Taxables within this Province*; and commands me to acquaint the House, that he will not pass it, for the Reasons given in his Messages; but adheres to his Amendments, with the unanimous Advice of his Council; and that he will transmit to his Majesty a Copy of the Bill, with his Reasons for rejecting it."

A Message by Mr. Secretary:

"*SIR*,

"The Governor requires the Attendance of Mr. Speaker and the House, in the Council Chamber, to enact into Laws the Bills prepared and agreed to."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour with three Bills, respectively entituled as follows, *viz.* *An Act for pre-*

venting Abuses in the Indian Trade for supplying the Indians, Friends and Allies of Great-Britian, with Goods at more easy Rates and for securing and strengthening the Peace lately concluded with the Indians inhabiting the Northern and Western Frontiers of this Province.

An Act for regulating the Hire of Carriages to be employed in his Majesty's Service.

An Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province.

To all which Bills his Honour had been pleased to give his Assent, by enacting the same into Laws.

Ordered, That Mr. *Pearne* and Mr. *Hunt* do see the Great Seal affixed to the said Laws, and the same deposited in the Rolls Office.

The Members appointed to see the Great Seal affixed to the three Laws enacted this Afternoon, and the same deposited in the Rolls Office, reported, that they had done it accordingly.

The Provincial Commissioners reported, that in Pursuance of the Recommendation of the House, they had, notwithstanding the Public Money subjected to the Governor's and their Disposal has been long since expended, bespoke Beds, Blankets, and other Necessaries, for the King's Troops, on the Credit of the Government, and ordered the same to be sent to the Barracks with all convenient Dispatch.

The House taking into Consideration the Governor's positive Refusal of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. after some Time spent therein,

Resolved, That this House hath repeatedly offered to the Governor a Bill granting an *Hundred Thousand Pounds* to his Majesty, for furnishing the Crown with an Aid of Two Thousand Seven Hundred Men, to act in Conjunction with his regular Troops in the important Operations now carrying on for the Defence of *America*; which Bill the Governor hath as often rejected.

Resolved, That the said Bill is just and reasonable, and not repugnant to the Laws of *England*, but as nearly agreeable thereto as our different Circumstances will admit.

Resolved, That the Right of granting Supplies to the Crown is in the Assembly alone, as an essential Part of our Constitution; and the Limitation of all such Grants as to the Matter, Manner and Time, is only in them.

Ordered, *N. C. D.* That the said Bill, entituled, *An Act for granting to his Majesty the Sum of One Hundred Thousand*

Pounds, &c. together with the Governor's proposed Amendments thereon, be transmitted, by the Committee of Correspondence, under the Great Seal, to *Benjamin Franklin*, Esq; and the other Agents for this Province, to be by them immediately laid before the King and Parliament now sitting, if they shall receive the same in Time.

Then the House adjourned to *Tuesday*, the Eighteenth of this Instant, at Four o'Clock in the Afternoon.

April 18, 1758.

The House met, pursuant to their Adjournment.

The Governor, by the Secretary, sent down a Message to the House, with a Letter from Captain *Thompson* to Colonel *Armstrong*, dated at *Fort Loudoun*, *April 9, 1758*, containing Intelligence of the Arrival of forty *Cherokee Indians* at said Fort: Also an Extract of a Letter from Colonel *Armstrong* to the Governor, respecting the Manner in which the said *Indians* are to be treated by this Government.

The Message from his Honour being read, follows in these Words, *viz.*

GENTLEMEN,

'*LIEUTENANT* Colonel *Armstrong* has informed me by Express of the Arrival of forty *Cherokees* at *Fort Loudoun*, and that more are daily expected; and desires he may receive my immediate Directions in what Manner they are to be treated and supplied, as they are come without Arms or Clothes. The Commander in Chief is made acquainted with their Arrival, and I have requested, that as these *Indians* come for the General Service of the Colonies, his Excellency would be pleased to order Provision to be made for them; but there not being Time to wait the General's Answer, without running too great a Risk of disgusting these friendly Warriors, I earnestly desire you would enable me forthwith to send them the Necessaries mentioned in the Letter now laid before you.

April 18, 1758.

WILLIAM DENNY."

The House resumed the Consideration of the pressing Necessity of an immediate Grant of Money to his Majesty's Use, together with the Governor's Refusal to pass a Bill lately offered to him for that Purpose, unless the Proprietary Estate be therein exempted from the Taxes imposed on other Estates within this Province for the Defence thereof, and, after some Debate thereon,

Resolved, That a Bill be brought in for granting to his Majesty the Sum of *One Hundred Thousand Pounds* to be

raised by a Tax on all Estates, real and personal, and Taxables, within this Province, in the Manner prescribed by the Act for granting *Sixty Thousand Pounds* to the King's Use; and the Supplement to the said Act for granting to his Majesty the additional Sum of *One Hundred Thousand Pounds*; and it it referred to Mr. Norris, Mr. Galloway, Mr. Masters, Mr. Melvin, Mr. Morton, Mr. Saunders, Mr. Allen and Mr. Yorke to prepare and bring in the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 19, 1758.

Mr. Speaker, and several of the Members, met pursuant to Adjournment, but a Quorum not appearing, they adjourned to Three o'Clock, *P. M.*

A Quorum of the Members met.

The Committee appointed to prepare and bring in a Bill for granting *One Hundred Thousand Pounds* to his Majesty's Use, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being once read, was, by special Order, read the second time, and ordered to be transcribed.

Then the House adjourned to Twelve o'Clock To-morrow.

April 20, 1758.

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Saunders and Mr. Plumsted wait on the Governor therewith, and desire he will be pleased to take the same into immediate Consideration, and acquaint the House with his Result thereon, as they incline to adjourn as soon as possible.

Then the House adjourned to Five o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. reported, they had delivered the same according to Order; and requested he would be pleased to give all convenient Dispatch thereto; in Answer to which his Honour was pleased to say, he would take the said Bill into immediate Consideration.

The House then resumed the Consideration of the unhappy Necessity, by which they had been compelled, contrary to Equity, and the Usage of their Mother Country, to continue

and extend an Exemption of the Proprietary Estate, by the Bill now sent up to the Governor, from its just Proportion of Taxes, in the Manner the same are laid on other Estates within this Province, in order to comply with his Majesty's most reasonable Demand of Aid from this Colony towards the general Defence of *America*, and, after some Time spent therein,

Ordered, That Mr. Norris, Mr. Galloway, Mr. Masters, Mr. Strickland, Mr. Morton and Mr. Webb be a Committee to draw up Resolves upon the said unavoidable Exemption of the Proprietary Estate in the said Bill.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 21, 1758.

A Petition from divers of the Inhabitants of *Lancaster* County was presented to the House and read, setting forth the great Inconvenience of being obliged to attend the Issue of Causes, commenced in their own County Courts, at the Supreme Court held in the City of *Philadelphia*, to which they are frequently removed; and praying the House would take the said Hardship into Consideration, and make such Provision therein as they shall think proper.

The House resumed the Consideration of the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, and having withdrawn the Alteration made therein, pursuant to the Governor's Amendment to the said Bill,

Resolved, That the same be returned to the Governor, as it was at first presented to him by this House, for his further Consideration and Concurrence.

The Bill for granting to his Majesty a Duty of Tonnage on Ships and other Vessels, &c. being then taken up again, was in Part read the second time.

Then the House adjourned to Four o'Clock, P. M.

The Governor, by the Secretary, sent down the Supply Bill, with Amendments thereon, and the following verbal Message, *viz.*

"The Governor returns the Bill, entituled, *An Act for granting the Sum of One Hundred Thousand Pounds to his Majesty's Use*, &c. with Amendments, and commands me to acquaint the House, that he has received from Mr. Lardner an Account of the Sum of *Two Thousand Pounds*, expended

by him for the Use of the Provincial Frigate; but has not received from Mr. *Fox* and Mr. *Baynton* their Accounts of the Sums of *Five Thousand, Three Thousand Seven Hundred, and Eight Thousand Pounds*, paid into their Hands, in Virtue of Orders drawn on the Trustees of the Loan-Office.

"The Governor desires the House will furnish him with a List of the Orders mentioned in the Bill to be drawn on the Provincial Treasurer."

The Governor's said Amendments being read, and considered, it was resolved, upon the Question, by a great Majority, that the House will adhere to the Bill, and return it to his Honour.

Ordered, That Mr. *Morton* and Mr. *Wayne* wait upon the Governor therewith, and acquaint him the House adhere to the Bill, and desire he will pass the same as now presented to him.

Then the House adjourned to Nine o'Clock To-morrow Morning.

April 22, 1758.

The Members appointed to wait on the Governor with the Supply Bill, and Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into his immediate Consideration.

The House again took up the Tonnage Bill, and spent some Time thereon.

The Governor, by Mr. Secretary, sent down the Supply Bill, with a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

'DURING the Course of your late Sessions, I have had too frequent Occasion to lament the melancholy State of this distressed Country, the unseasonable Animosities wherein you have been engaged, your particular ill Treatment of myself, and your unaccountable Delays to turn your Attention to the important Concerns of the present Campaign, till it is almost too late to be of any real Use.

'You have now been sitting near four Months, with an Intermission only of ten Days; during which Space, you have been repeatedly called upon for the necessary Supplies of the current Year. You have had the Secretary of State's Letter on that and other important Subjects laid before you. You have seen the Assemblies of the Provinces around you meeting, and with exemplary Zeal and Dispatch furnishing their

respective Contingencies, and returned to their several Homes; while your Part, to the unspeakable Detriment of the general Service, remains yet undetermined and unsettled. It is true you have not been wanting in Professions of Loyalty, Duty and Zeal; and if these could pass for real Merit, you have suffered none to excel you. But Actions speak louder than Words, and how far your Actions and Professions have corresponded, need hardly be shewn.

‘Three Months of your Sitting’ were expired before I received any Money Bill from you, and the first you sent me was so framed that you knew I could not pass it being only calculated to keep up Disputes, although the Season was too far advanced to admit of that Delay, and the Operations of the Campaign in these Parts in a great Measure suspended on our Account.

‘My principal Objections to that Bill, as appears from my Messages of the Third and Seventh Instant, were two. The first related to the unjust Method proposed for taxing the Proprietary Estate; and the second to the Appointment of the Provincial Commissioners from among the Members of your own House, accountable only to yourselves; a Practice liable to so many glaring Exceptions, that it must require an extraordinary Degree of Hardiness even to propose it.

‘The former of these Points you have given up in the present Bill, which I received the Twentieth Instant, having totally exempted the Proprietary Estate, and chusing rather to deprive your Constituents entirely of the Benefit that would arise from an equal Taxation of that Estate, than not subject it entirely to your own Mercy in the Mode you propose.

‘As to the latter Point, although I refused your Bill Yesterday on that Score, yet you still adhere to it, and seem determined to see the Province brought to the utmost Destruction, and all the Measures concerted by our gracious Sovereign, for our Relief, defeated, rather than the Fingering of the public Money should not be in a few leading Men of your House, who, in various Instances, have abused their former Trust, disregarded me, and acted in open Contempt of Law.

‘These are hard Charges, Gentlemen, but I have made them publicly, and if these Men regarded their own Characters, or if you had that Regard which might have been expected for the Honour of your House, you would either have obliged them to exhibit their Accounts, when required, or you would have left them out of the present Bill, and inserted some other

unexceptionable Men in their Stead. But all this you have still declined to do, and what renders the Matter still more suspicious, is your inserting a Clause in the Bill, notwithstanding my repeated Protestations and Objections to the contrary, intimating, *that they have, with my Consent, already expended the Sum of One Hundred Thousand Pounds.*

'This, Gentlemen, is indeed a short Way of settling Accounts, and is one of the boldest Impositions that perhaps was ever offered to a Governor. From your Obstinacy, and the hard Necessity of the Times, I am reduced to this Dilemma: I must subscribe my Name to a Falshood, shelter these Men under an Act of Assembly, and preclude myself and the Public from calling them to any future Account, or suffer all the Measures concerted for your Safety to stand still; the numerous Body of *Indians*, come to our Assistance, to return Home; and the present Campaign to be as inactive as the former, so far, at least, as regards the Part these Southern Colonies are to act; and how fatal that might prove to the grand Cause of Liberty and Religion, which ought to be so dear to us, is but too obvious. The Expence of the Mother Country and the Neighbour Colonies, to strike a decisive Blow now, is too great to be continued, and if the present Opportunity is neglected, we may wish in vain to recall it, when it will be too late.

'Wherefore, under these Considerations, and to shew my Regard for his Majesty's Service, I do agree to pass your Bill, as it stands, if you think proper still to adhere to it, and shall be ready to attend you for that Purpose in the Council Chamber, at any Time you will appoint this Day, in order that there may be no further Delays. But I must do it with a solemn Protestation to all the World, that it is contrary to my Conscience, and in Violation of Truth, that I am obliged to say, that the former *Hundred Thousand Pounds* is expended with my Consent; not to mention the Obscurity of the Bill, and other material Objections, which I waved, for the Sake of Dispatch.

April 22, 1758.

WILLIAM DENNY"

The House having taken the Governor's Message into Consideration,

Ordered, That Mr. Morton and Mr. Wayne wait on the Governor, and acquaint him that as it is impracticable to get the Supply Bill, just sent down by his Honour to the House, engrossed Time enough to be passed this Afternoon, they have examined the returned Copy of the said Bill, and find

it very fair and legible, and as it is not unprecedented to make use of such instead of an engrossed Copy, the House will attend the Governor at any Hour he may be pleased to appoint for enacting the same into a Law.

The Members return and report, they had waited on the Governor, and delivered the Message of the House according to Order; and that his Honour was pleased to say, he would attend immediately in the Council Chamber for that Purpose.

Ordered, That Mr. Webb and Mr. Yorke do see the Great Seal affixed to the said Bill, when passed into a Law, and the same deposited in the Rolls Office.

A Message by Mr. Secretary:

SIR,

"The Governor desires the Attendance of Mr. Speaker and the House in the Council Chamber, in order to enact the Bill, to which he hath given his Assent, into a Law."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on his Honour with the Bill, entitled, *An Act for granting the Sum of One Hundred Thousand Pounds to his Majesty's Use, and for striking the same in Bills of Credit, and for continuing the several Acts of Assembly of this Province herein after mentioned for sinking the Bills of Credit so to be struck, at the Times and in the Manner herein after directed and appointed*; to which his Honour had been pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. Norris, Mr. Fox, Mr. Galloway, Mr. Masters, Mr. Walker, Mr. Morton and Mr. Saunders be a Committee to prepare and bring in an Answer to the Governor's Message of this Day, and his other Messages still unanswered.

Then the House adjourned to *Tuesday* next, at Four o'Clock in the Afternoon.

April 25, 1758.

The House met, pursuant to their Adjournment.

The Members appointed to see the Great Seal affixed to the Act for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and the same deposited in the Rolls Office, reported, they had done it according to Order.

The Petition of a Number of distressed Women, Wives of Soldiers belonging to his Majesty's Thirty-fifth Regiment of Foot, lately transported from this City to *Halifax*, was presented to the House and read, setting forth their necessitous

Circumstances, and praying they may be sent, at the Expence of the Government, to their Husbands at *Halifax*.

The House taking into Consideration, and commiserating, the forlorn and destitute Condition of the said Petitioners,

Ordered, That the Clerk do acquaint them, that the House recommended to them to lay their Petition before the Governor, and let him know, that the House, having considered it, are willing the Expence of transporting them to their Husbands at *Halifax* should be defrayed by the Government, if his Honour is consenting thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 26, 1758.

The House being informed that Messieurs *William Moore* and *William Smith*, committed to the public Goal for Breach of Privilege, and a Contempt of this House, had, during the late Recess thereof, been released by a Writ of *Habeas Corpus*, took the said Releasement into Consideration; and, after some Time spent therein,

Ordered, That the said *William Moore* and *William Smith* be again taken into Custody of the Serjeant at Arms belonging to this House, and that the Clerk do make out Warrants accordingly.

The House then adjourned to Three o'Clock, *P. M.*

The Warrants for apprehending and re-committing the said *Moore* and *Smith* to the Custody of the Serjeant at Arms, being made out, and signed by Mr. Speaker, the Serjeant was ordered in, and the same delivered to him from the Chair.

The House then went upon the Consideration of the Tonnage Bill, which being read the second time, was agreed to, and ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 27, 1758.

A Petition from the Inhabitants of the Town of *Reading*, and others, in *Berks* County, was presented to the House and read, setting forth the great Distress of the said County, from certain late Ravages committed therein by the *Indians*, and other Enemies, in Consequence of which, many of the Settlers have abandoned their Plantations, and praying immediate Succour, lest that Part of the Country be wholly deserted by its Inhabitants, from an Apprehension of further Depredations and deeper Incursions of the Enemy upon them.

The House taking the said Petition into Consideration, and truly commiserating the Sufferings and exposed Situation of the said People, and being of Opinion their Petition ought to be laid before the Governor, with a Recommendation from the House to his Honour, to order a Detachment of the Provincial Troops to be stationed in the said County, for their Protection, the following verbal Message was drawn at the Table, *viz.*

May it please your HONOUR,

"WE have just received a Petition from the distressed Inhabitants of the Town of *Reading*.—Their unhappy Situation seems to be more easily conceived than described, occasioned by the Want of a due Exertion of the military Force in that Quarter: We therefore think it our indispensable Duty to lay the Petition before your Honour, and earnestly entreat you would give Orders that some of the Provincial Forces be sent to the immediate Relief of that and the neighbouring County of *Lancaster*."

A Petition from *James Child*, of the City of *Philadelphia*, was presented to the House and read, praying that he may be appointed Collector of the Duties of Tonnage, &c. to be laid by the Bill now under Consideration of the House.

The said Bill being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Walker and Mr. Trimble wait on the Governor therewith; as also with the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion*, &c. and desire his Honour's Assent to the latter as now presented to him: And also deliver the Petition from the Inhabitants of *Reading*, together with the foregoing verbal Message from the House thereon.

Then the House adjourned to Four o'Clock, P. M.

Mr. Secretary acquainted the House, that his Honour desired the Company of Mr. Speaker, and the Members of Assembly, from his House to the Market-place, to be present at publishing a Proclamation of the Encouragement offered by this Government to such able-bodied Men as shall voluntarily enlist in his Majesty's Service, for the ensuing Campaign: Whereupon the House adjourned to Ten o'Clock To-morrow Morning, and attended the Governor, as requested.

April 28, 1758.

The Members appointed Yesterday to wait on the Governor with the two Bills, together with the *Reading* Petition, and the verbal Message from the House thereon, reported, they had delivered the same according to Order; to which his Honour was pleased to say, he would take the said Bills into immediate Consideration, and that as the Inhabitants of *Reading* had preferred a Petition to him, of like Import, a few Days before, he had provided for their Protection and Security, by ordering a Company of an Hundred Highlanders into that Part of the Province.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Twenty-second Instant, reported, they had essayed a Draught for that Purpose, which being read by one of the Committee, at his Chair, was delivered at the Table, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down the Bill for granting to his Majesty a Duty of Tonnage, &c. with a verbal Message, that his Honour was ready to pass the same, whenever presented to him for that Purpose; and also, that on the Governor's Application to General *Forbes*, he has engaged to order an Hundred Men, with proper Officers, to march to *Reading* from hence in a few Days, and, on all Occasions, the General will take Care that the Country shall be protected to the utmost of his Power.—The Secretary further acquainted the House, that the Governor recommended the destitute and suffering Case of about Seventy poor Women (Soldiers Wives) to their Consideration; and desires they would make such Provision for their Relief, as they may judge most proper.

The Answer to the Governor's Message of the Twenty-second Instant was again read, and re-committed to the Committee which brought it in, for some Alterations recommended by the House.

The House having taken into Consideration General *Forbes*'s kind Assurance to this Province, of Protection to the utmost of his Power,

Ordered, That Mr. *Masters*, Mr. *Yorke* and Mr. *Allen* do wait on the General with the Thanks of this House for so obliging an Instance of his Care and Regard to the Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 29, 1758.

The Gentlemen appointed to wait on General *Forbes*, and return him the Thanks of the House, reported, they had done

the same according to Order; to which he was pleased to say, he was very sensible of the Honour the House had done him; that he was here by his Majesty's Command, and was bound by Duty as well as Inclination to do every Thing in his Power for his Majesty's Service, and the Protection of the Country; assured the House, that nothing should be wanting on his Part, and hoped that they, and every one, in their different Stations, would exert themselves on this Occasion, in which all were so deeply interested.

The Governor, by the Secretary, returned the Bill for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, *An Act for punishing Muting and Desertion*, &c. with a verbal Message, that his Honour was ready to pass the same whenever presented to him for that Purpose: And that he also recommended to the House to appoint a Barrack-Master, to be answerable for such of the Necessaries required in Quarters, as have been furnished to the Barracks, at the Expence of the Province, and shall be left there after the Departure of the Troops.

Mr. Secretary likewise, by Order of the Governor, laid before the House a Letter from General *Forbes* to his Honour, requiring the Appointment of a Provincial Treasurer, or Paymaster, to attend him, with a Sum of Money subject to his Orders, for defraying contingent Expences; and informed the House, that the Governor desired they would comply with the General's Demand, and enable him to give a satisfactory Answer thereto.

Ordered, That the Bill brought down by the Secretary, to which the Governor hath given his Assent, be immediately engrossed.

Ordered, That M. *Roberdeau* and Mr. *Saunders* wait on the Governor, and acquaint him, that the House have complied with all the Demands of the Crown, communicated to them by the Secretary of State's Letter, and have appointed Commissioners to dispose of the Money granted for those Purposes, with the Governor's Approbation:—That, as the Payment of the Troops was Part of what was requested by his Majesty of this Province, they doubt not the Commissioners will take Care that a Paymaster attend on the Forces under the General's Command, and that they will in all other Respects think it their Duty to comply with the Law, as the Rule of their Conduct: That the House, being informed, by three of their Members, that the General had mentioned to them, it would

be of singular Service in the military Operations to the Westward, to be furnished with the additional Number of Fifty Light Horse, have recommended to the Commissioners to comply with the General's Request herein, provided they do not thereby encrease the Number of Men granted by Law: That they design, before their Adjournment, to appoint a Barrack-Master, and as they have ordered the two Bills, to which the Governor hath given his Assent, to be engrossed, the House will be ready to wait on his Honour at any Time this Afternoon he may be pleased to appoint, to see the same enacted into Laws.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor, reported, they had delivered the Message of the House according to Order; and that his Honour was pleased to say, he would attend in the Council Chamber at Five o'Clock, to enact the aforesaid two Bills into Laws. And the said Bills being engrossed,

Ordered, That Mr. *Roberdeau* and Mr. *Saunders* do meet the Members of Council, to compare the engrossed Copies thereof with their Originals.

The Gentlemen appointed to join with the Members of Council in comparing the said engrossed Bills with their Originals, reported, they found them to agree.

A Message by Mr. Secretary:

S I R,

"The Governor requires the Attendance of Mr. Speaker, and the Members, immediately in the Council Chamber."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, they had waited on the Governor with the two following Bills, viz. *An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels; and also certain Duties upon Wine, Rum, Brandy and other Spirits; and a Duty upon Sugar, for supporting and maintaining the Province Ship of War, for protecting the Trade of this Province, and other Purposes for his Majesty's Service. Also, An Act for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled, "An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters."*

To both which Bills the Governor had been pleased to give his Assent, by enacting the same into Laws.

Ordered, That Mr. *Roberdeau* and Mr. *Saunders* see the

Great Seal affixed to the said Laws, and the same deposited in the Rolls Office.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

May 1, 1758.

Mr. Speaker, and Twenty-two of the Members, met, pursuant to Adjournment; but a Quorum not appearing, they adjourned to Nine o'Clock To-morrow Morning.

May 2, 1758.

The House met, pursuant to their Adjournment.

The Members appointed to see the Great Seal affixed to the two Laws passed on *Saturday* last, and the same deposited in the Rolls Office, reported, they had done it according to Order.

The Committee to whom the Answer to the Governor's Message was committed for some Alterations, reported, they had made an Essay for that Purpose, which they delivered at the Table, and the same being in Part read, and agreed to, the House adjourned to Three o'Clock in the Afternoon.

The Answer to the Governor's Message of the Twenty-second of last Month, and his other Messages of a prior Date, being read through by Paragraphs, was agreed to, and ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 3, 1758.

The Answer of the House to the Governor's Message of the Twenty-second of last Month, &c. being transcribed, was compared at the Table, and follows in these Words, *viz.*

May it please your HONOUR,

AT this Time of general Calamity and Distress of the Colonies, when every Liberty, both civil and religious, is at Stake, we were determined to wave every Thing that might tend to create new Disputes between the two Branches of the Legislature, and therefore have postponed answering your several Messages, and rather submitted, for a Time, to lay under the Load of Reflections and Calumny they contain, than, by any Means, impede his Majesty's Service, or obstruct the generous Measures he has been pleased to concert for our Preservation and Defence. But the Aids are now granted to the Crown, and your Message of the Twenty-second ult. is of such an uncommon and extraordinary Nature, a Regard for

our Characters, Truth, and the Public Welfare, will no longer permit us to be silent; though the Passion and Injustice it contains are so evident, 'tis more than probable that it will ever carry with it a full Remedy against the unhappy Disposition your Honour has discovered to deprive us of our just Rights, as a Branch of the Legislature, and, as far as lies in your Power, to ruin our Reputations as Individuals, by calumniating and condemning, unheard, particular Members of our House, without the least Foundation. How far this Conduct corresponds with the large Professions of Justice you made in the Case of *William Moore*, that you would "condemn no Man unheard," nor "without giving him and his Accusers a full Hearing, Face to Face," we leave your Conscience and Reason to determine, declaring, that they appear to us the most glaring Contradictions.

You have been pleased to lament the melancholy State of this distressed Colony, and the "unseasonable Animosities we have been engaged in;" at which we cannot help being surprised, since it is known to almost every Inhabitant, that you have long had it in your Power to relieve us, in a great Measure, from the first, and, in no small Degree, contributed to the second. Actions speak louder than Words. To these we appeal. Will it not appear strange, that this Government, entrusted to your Honour's Care and Protection, has expended, since your Administration, upwards of *One Hundred Thousand Pounds*, in supporting three Battalions of Troopers under your Command; and yet has received very little Defence against the Depredations of the most barbarous and cruel Enemy.— Was your Concern as sincere as you profess, would you have acted in Violation of the Law, pointing out the only effectual Mode of defending the People, in not issuing Orders "for making Incursions into the Enemy's Country?" Would you have neglected the military Service, upon which the Lives of Thousands depended; permitted the Officers and Men to remain inactive in the Forts; suffered the Inhabitants to be murdered and captivated from Time to Time, when every Mean in your Power ought to have been exerted for their Defence and Preservation? These are Facts so notorious, so sensibly felt by our bleeding Fellow-Subjects that we cannot but doubt of the Sincerity of your Concern at a Distress, the Continuation of which has too long been owing to your own Neglects and Omissions.

As to the "Animosities" you are pleased to say "we have been engaged in," we know not what they mean, unless it be the Trying and Punishing the Author and Abettor of the most virulent Libel that ever was published against the Representatives of a People, and Rights of Government. To enquire into, and punish, this insolent Attack on the Rights of the Subject, was our indispensable Duty. This was concluded long before the Demands of the Crown, made by Secretary *Pitt's* Letter, were communicated to us, and therefore could not impede or affect our Aids to his Majesty for the ensuing Campaign, but rather proved advantageous to the common Cause, by preventing the House from rising before we had received the Secretary of State's Letter. However, insolent as this Attack, and virulent as the Libel was, your Honour, and some of your Council, thought fit to take the Authors under your Protection, and therefore we are not surprised at your thinking the Enquiry "unseasonable," since it is natural for a Man to call every Measure so that tends to support those Rights which he has so frequently shewn a Disposition, during his short Administration, to abridge and destroy.

Your Honour is next pleased to say, that "we have delayed to turn our Attention to the important Concerns of the present Campaign;" a groundless Charge, and not more easily made than refuted. The first Intimation we had of the Operations to the Westward, and of the Assistance expected from us, was by Lord *Loudoun's* Letter, laid before the House the Twentieth of *February*; immediately thereupon our Proportion of the Eight Hundred Men demanded was resolved on with the greatest Chearfulness, and the necessary Sum for their Support voted. On the Eighth of *March* we received his Majesty's paternal and animating Instructions, informing us of the Measures he was determined to pursue, for the Preservation of this and his other Colonies and desiring us to exert the Strength and Abilities of the Province on this important Occasion. It was with Impatience we waited to know what Part it was expected we should act in these interesting and necessary Operations; but we did not receive the least Intimation of it before the Eighteenth of *March*, when General *Abercrombie's* Letter was laid before us, mentioning the Number of Troops required of this District of the Colonies, and therefore could not come to any determinate and certain Conclusion before. Eleven Days after we presented your Honour with a Bill for furnishing Two Thousand Seven Hundred Men, to act in Conjunction with his Majesty's Troops to the Westward. A Bill in its Nature reasonable and just, adapted to

the Circumstances of the Province, and a Bill, which your Duty to his Majesty, and the People entrusted to your Care, would have obliged you to pass, had not those sacred Obligations been constrained to submit to the most tyrannical and unjust Proprietary Instructions. Had your Honour passed this Bill when presented, as you ought to have done, we should have been the first of the Western District who had given exemplary Proofs of an hearty Zeal for his Majesty's Service, and a chearful Compliance with his gracious Demands. But this reasonable Bill you thrice rejected, as you inform us, "by the unanimous Advice of your Council," and was resolved, by taking an Advantage of our present bleeding and distressed Situation, either to exempt the Proprietaries from bearing their just Proportion of the Tax, to defend their own Estates, or effectually to prevent us from complying with the most interesting Demands of the Crown. So that it seems his Majesty's Province would have been defenceless, his gracious Demands rejected, and the glorious Plan, concerted for the Defence of these Colonies, frustrated, had the Representatives of the People, with the same Inflexibility, adhered to their natural Rights and Privileges, as your Honour has to the slavish Instructions of the Proprietaries, impracticable in themselves, arbitrary in their Nature, and abhorrent to every Rule of common Justice. Thus all the Delay from that Time can be only imputable, with Justice, to your Honour and Council, who have been so regardless of his Majesty's Interest and Service, and so fearful to infringe the Proprietaries Instructions, as to reject a reasonable and most necessary Bill at this critical Juncture, because their Estates were to bear a Proportion of the Tax, to defend their own Property.

Your Honour further asserts, "That the first Bill we sent you, was so framed, we knew you could not pass it." How you should be acquainted with our Knowledge and Thoughts, we cannot conceive. We beg Leave to inform you, that in this you are under a great Mistake. We well knew your Honour is bound to obey such Instructions, from Time to Time, as are given you by the Proprietaries, which are liable to Alterations and Changes; and therefore we could not know but you might have received Orders to have passed a Bill in which their Estates were included. And we could not suspect that his Majesty had a Subject so destitute of Loyalty and Gratitude to the best of Kings, and regardless of every Rule of common Justice and Equity, as to continue their Instructions to the contrary. It is possible, that the Proprietaries can still insist that their great Estates should be protected at the Expence

of his Majesty, and every Person within his Dominions, capable of paying Taxes? Could we conceive that they would venture to claim a Privilege no Peer of the Realm, not even Royalty itself, ever pretended to? If these Things are reasonable, then we might have known that the Bill we presented was such as "your Honour could not pass;" if otherwise, we ought to have been as well acquainted with the Proprietaries unjust Disposition, as you seem to be, to have believed it.

But your Honour would fain persuade the World, that you are not against taxing the Proprietary Property, and are pleased to say, that "one of the principal Objections to this Bill related to the unjust Method proposed for taxing their Estates." Let us enquire what this "unjust Method" was. In the Bill the Return of Property was to be procured and made by the Constables of the respective Townships, and Assessors, the latter of whom were to be Freeholders, and chosen by the People. By them, and the County Assessors, the Estates of the Proprietaries, and all others, were to be taxed, by the same Method and Rule, and in the same Proportion. These have ever been Men of Character and Integrity; and being under the awful Obligation of an Oath, or solemn Affirmation, to discharge their Duty, no one can presume they would do any Man Injustice in the Taxation. But surely our Proprietaries, in the Characters of private Subjects, may venture to submit to a Mode of Taxing, attended with equal Security and Equity, with that by which the Peers of *Great-Britain*, and their gracious Sovereign, are, by a long Series of Precedents, rated and assessed. All Money Bills take their Rise with the Commons. Supplies cannot be raised without their Grant. The King, and House of Lords, do not pretend to the Right of amending Money Bills. They ever submit their Estates to be assessed and rated by Persons chosen by the Commissioners, who are nominated by the Commons, and have no Voice in the Election, or Negative on such Persons. Where then is the essential Difference between, or greater Security in, their Mode of Taxing, than that pointed out in our Bill? 'Tis really no more than the Commissioners, who are nominated by the Representatives of the People, chuse the Assessors in the one Case, and in the other they are elected by the People themselves. But nothing less will satisfy the Proprietaries than the investing their Deputies with a Share in the "Nomination and Appointment" of the Assessors.—We entreat your Honour would inform us what Share would satisfy them. Is it a single Vote? Or do they claim as many Votes as all the rest of the People in the Province, or one Half of the Choice? Or

are we to present to your Honour Bill after Bill, alter and change the Assessors therein to be named, until we shall fix on such Persons as you shall approve of, and such as will nearly answer all the Purposes of totally exempting the Proprietaries Estates in the Bill? This would be giving you the sole Nomination of them; for we can see no Difference between a Person's chusing an Assessor himself, and having a Power to reject, until the Person he likes be presented to him. If either of these be the Meaning of your Message, you will excuse us, if we say, the Proposal is anti-constitutional, and without Precedent in our Mother Country, and is the more unreasonable in our Proprietaries, as it is claiming a Right which the Nobility of the Realm, or his Majesty himself, do not pretend to. And as your Honour must know we cannot consent to it, consistent with our Duty to the People we represent, it must be mere Evasion and Illusion, calculated only to exempt the Proprietary Estate from bearing a just Proportion, and to throw an additional Weight of Taxes on our Mother Country, the distressed Freeman of this and the neighbouring Provinces. This will appear still more evident, when the Part of the Proprietaries Estate, which your Honour proposes to tax in this extraordinary Way, is considered. You assert, that the "Proprietaries are willing that every Tract of Land within the Province, surveyed and appropriated for their Use, should bear an equal and proportionable Share of any Burdens that may be imposed on the People, in the necessary Defence of this and his Majesty's other Colonies." And is this all the Property the Proprietaries will suffer to be assessed for the immediate Preservation of their own Fortunes? Must the high Quit-rents, arising from several Millions of Acres; the large Estate in Ground-rents, and their other considerable Property in this Province, be exempted from bearing a proportionable Part of this necessary Burden? This would be truly the Case, should we lose all Sense of our Constituents Rights, and agree to the extraordinary Mode proposed by your Honour; for nothing else is to be taxed but the "located and appropriated Lands." After mentioning these Facts, how weak and absurd appears your Assertion, That we "chose rather to deprive our Constituents of the Benefit that would arise from an equal Taxation of these Estates," than not subject it entirely "to our own Mercy in the Mode we proposed." What great Benefit could flow from so small a Part of their Estates, when by much the greater Share was to be exempted? And in what Manner can it be said, with Truth, we were determined "to subject them to our Mercy?" We had no Share

by the Bill either in the Rating or Levying the Money.—That Matter was left to the Commissioners and Assessors, who were to be sworn, or solemnly affirmed, to do equal Justice; nor could the Representatives of the People interfere therein.

Your Honour's second Objection to our Bill, "related to the Appointment of the Provincial Commissioners from among Members of our own House," accountable only to ourselves. If this Practice be liable to so many glaring Exceptions, why did you not object to it in the late Supply Bill, passed in your other Government? Why did you consent that six Members out of their House, consisting of Eighteen only, should be Commissioners, and yet object to five being chosen out of the Members of our House, consisting of Six-and-thirty, joined with two of your own Council? Why does it require an "extraordinary Degree of Hardiness in us even to propose it," and not in that Assembly? Is it not as reasonable in the one Government as the other? Does the Soil, Climate, or Nature of the Country, make that Practice just and equitable there, which is not so here? Why did you not object to this Practice in the former Law for granting Money to the Crown? But this strange Conduct in your Honour we leave to be accounted for, whenever you shall think yourself capable of reconciling the most evident Contradictions.

With the same Degree of Reason and Justice, you next assert, "that we seem determined to see the Province brought to the utmost Destruction, rather than that the Fingering of the Public Money should not be in a few leading Men of our House." This, it is true, "is a hard Charge," as you say: But we have been of late so used to receive high Accusations from our Governors, which, upon a little Examination, have proved groundless, that, with the sensible Part of Mankind, they are looked upon as Things of little Meaning. As to the "leading Men of our House," we know of none such, here every Man is left to the free Exercise of his Reason and Judgment. We are not confined to the Instructions or Directions of any Man, or Set of Men; and we sincerely wish, for your own Sake, the Sake of the People we represent, and of his Majesty's Service, you were as independent of, and free from, the Leadings and Directions of a few ruling Men of your Council, and Proprietary Instructions, as we are from any undue Influence whatever.—By the Bill the Commissioners are not to finger one Farthing of the Public Money, and their Power only extends to draw Orders on the Trustees for the Purposes mentioned therein, with your Approbation, and the Money is to be paid by the Trustees to the Persons in whose Favour they

are drawn. The great Relish for Fingering the Public Money, we apprehend, is rather to be found with the Governor, and we should be glad his Connections were such with the People that we could safely confide in him. But when he looks on himself only as "a Passenger," and regards not whether the Barque, entrusted to his Care, shall sink or swim, provided he can by any Means reach the Shore, it is our indispensable Duty to take every Measure in our Power, to preserve that Oeconomy and public Justice in the Laying out and Appropriating the People's Money, for which this Government hath ever been so very remarkable.

As to the Commissioners, we shall only say, that they have ever been reputed Men of Integrity, and are well acquainted with our Public Affairs, from long Experience. They have satisfied us of their Innocence with respect to the Charges you have made against them in the most loose, general and unjust Manner. And we think ourselves obliged to return them our Thanks, for the great Pains they have taken, the Time they have spent, and for their prudent Conduct in the faithful Discharge of the Duties enjoined them by the late Act for granting *One Hundred Thousand Pounds* to the King's Use. Being convinced of this, we are not surprised to find your Honour's Indignation and Resentment so remarkably exerted against that Part of our Bill, nominating the same Gentlemen Commissioners, where the Fingering the Money is no more in your Power than in theirs; this we suspect will ever be the Case, till a Set of Men can be found agreeable to your Honour's Mind, who may be less exact and careful of, and more profuse with, the Public Interest. The Commissioners, in the early Part of our Session, laid their Accounts before us, which have been for some Time in the Hands of a Committee, and will be settled as soon as possible. What therefore your Honour means by "obliging them to exhibit their Accounts when required," we cannot understand, any more than we can your Design, or Merit, in declaring, "with a solemn Protestation to all the World," that the Passing our Bill was "contrary to your Conscience," and that, "in Violation of Truth, you were obliged to say, that the former *Hundred Thousand Pounds* was expended with your Consent." Did you ever attempt to make out this Assertion? Did you ever point out the Sum that was not expended with your Consent? Does your Honour think every Declaration of yours is to pass with us for solemn and incontrovertible Truths, sufficient to condemn and destroy the Reputation of Men, of whose Integrity and Fidelity to the Public we have had manifest

Proofs? We are sorry for the Governor, and amazed at this Part of his Message, and could wish sincerely, for his own Sake, that he had reconsidered the Bill, without that Bitterness and Passion, which appear too much to have blinded his Judgment in these solemn Assertions, which can do him no Credit, with respect either to his moral, religious or political Reputation.

Thus having answered all the material Parts of your unkind Message, filled with the grossest Invectives and Misrepresentations, we must assure you, that we are desirous to submit our Merit to the Test of our Actions. Every Thing has been done for the Good of our Constituents, and his Majesty's Service, that your Honour would permit us to do; and many Things further, equally necessary, which your Honour has obstructed, we would have done. It wold be happy for *Pennsylvania*, could you, with equal Safety, appeal for a Justification of your Conduct, to the same Test. Have you not supported a Man in his Acts of Extortion, Oppression and Tyranny, over the poor Inhabitants of *Chester* County, against the solemn Examinations and Remonstrance of the Representatives of the People? Are not the Widow and Fatherless groaning under his arbitrary Measures, and yet remain without Hopes of Relief? Have you not continually usurped an arbitrary Power of amending our Money Bills, and thereby repeatedly violated one of the most essential Rights of the People? Have you not rejected a reasonable Bill for furnishing the Crown with Two Thousand Seven Hundred Men, for the Recovery of the Proprietaries Fortunes from the Possession of the Enemy, because their Estates were to bear a reasonable Proportion? Have you not retarded and obstructed the granting Supplies to the Crown, by tenaciously adhering to your Instructions? Have you not had under your Command Fourteen Hundred Men, and yet permitted the most trifling Parties of *Indians* to depopulate a great Part of the Province, captivate and murder the Inhabitants, while our Troops have been inactive in our Forts? Have not Orders for making Incursions into the Enemy's Country, though expressly directed by the Law, been entirely neglected? Has a single Party been sent out on this Account, or one of the Enemy been killed or taken Prisoner since your Administration, though our Frontiers have been almost continually bleeding by their merciless Hands? Have not the People, through this unhappy Neglect, been surprised and murdered in their Beds, who otherwise might have had timely Notice of their Approach, and defended themselves? In short, what Protection or Defence has this un-

happy Colony received from the large Sums of Money it has generously granted? These are the unhappy Marks of your Honour's Regard for his Majesty's Service, which the good People of this Province have fatally felt, at a Time when their Representatives have been exerting the Power and Strength of the Province almost beyond what it could bear, to relieve them from the Butchery and Ravages of the most barbarous Enemy, whose Blow has fallen the heavier on us through the Frauds and Injustice they declare they have received from the Proprietaries, and their Agents, with regard to their Lands.

May 3, 1758. *Signed by Order of the House,*

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. Wayne and Mr. Plumsted wait on the Governor with the foregoing Message, and acquaint him, that the House, having gone through the Business that was before them, incline to adjourn to *Monday* the Fourth of *September* next.

The Committee appointed to prepare and bring in an Answer to the Governor's long Message of the Twenty-fourth of *January*, conceiving their Sentiments thereon would more properly come under the Form of a Report to the House, than a Message to his Honour, desired Leave to bring them in accordingly, which being agreed to, the same were presented at the Table, read, and follow in these Words, *viz.*

IN Obedience to the Order of the House, we have considered the Governor's Message of the Twenty-fourth of *January* last, and as he has positively declared, that he will neither remove *William Moore* from his public Offices, or receive the Impeachment and Charge of the Representatives of the People against him, we apprehend reasoning with his Honour, under these Circumstances, can answer no good Purpose, but would rather tend to impede his Majesty's Service, by creating further Debates between the two Branches of the Legislature; to avoid which Inconveniency, we beg Leave to throw our Remarks into the Form of a Report to the House, rather than that of a Message to the Governor.

We cannot help remarking in general, that this Message contains a Series of the most gross Misrepresentations of the Conduct of this House, the most extraordinary Perversions of the Meaning and Words of their Message of the Seventeenth of *January*, and a Charge against them, as groundless as it was unjust. He is pleased to assert, that the House have so far

deviated from the Rules of good Manners, as to "charge him with a direct Falshood," and that "they claim a Right of villifying and abusing their Governors as one among the many boasted Powers and Privileges they have lately discovered." This Kind of Warmth in his Honour's Message, and *Marks of his Esteem* for the good People of the Province, the House have been accustomed to, but ever passed them over unnoticed, as they were always averse to any Disputes but what a Regard for the Rights of the People necessarily engaged them in; —the Governor, however, having thought proper to repeat these Charges, your Committee think it absolutely necessary to shew them in their true and natural Light.

It appears by the Governor's Message of the Ninth of *January*, that "he was determined on a full and close Enquiry into the Charges against *William Moore*, to make a public Example of him, and to that End he had appointed the same Day for hearing all the Proofs in the Case, after due Notice given to the Parties, and their Witnesses, and accordingly attended with his Council in the Council Chamber." This Declaration rationally induced the House to think that he intended to erect a new Court of Judicature, for the Trial of the Offences charged against *William Moore*, in which the Governor and Council were to sit both as Judges and Jurymen; Judges of the Law, and Tryers of the Facts, without being vested with a legal Power of compelling the Attendance of the Parties or Witnesses to administer an Oath, or of forcing them to answer, when attending, or without the least Spark of judicial Authority whatsoever, necessary to a just and legal Enquiry: That by this new Method of Enquiry, he did design to supersede and lay aside the candid and solemn Examination of the Assembly, whose Right to enquire into the oppressive Conduct of that Gentleman, or any other, in their public Station, cannot be disputed; though it is well known, that the Governor had delegated all his judicial Authority to the Judges of the several Courts of Justice, and therefore could not legally exercise any, and that his Council have not the least Pre- tence to it. That by the great Charter of *English* Liberties, no Man shall be put to answer, but by the Laws of the Land, or due Process of Law: And that no Power in the Constitution, save the whole Legislative, can legally erect a new Court of Justice. It was also as evident, that as the Governor's intended Mode of Procedure was perfectly lawless, and unsupported by any known Example or Precedent in our Mother Country, so it must be uncircumscribed in its Authority, and transcendent in its Powers; and as it has no Law or Rule to

fix its Boundaries, or to limit its Extention, but the Discretion of his Honour and Council, and that Discretion might extend it over the Lives and Properties of the Subject, the dangerous Tendency, and mischievous Consequences of this Mode of proceeding, could not fail of alarming any Set of Men, to whom the Safety of a free People was entrusted, especially when it was calculated to destroy one of their fundamental Rights, the Power of redressing Grievances: And therefore, with that Decency and Spirit that became a free People, this House protested against it, and endeavoured to convince the Governor by fair Arguments, that it was lawless in itself, anti-constitutional, and of the most dangerous Tendency to the Liberties and Properties, if not Lives, of the Subject. To which the Governor was pleased only to reply, that "a considerable Part of our Message was taken up with trite Questions and Reasonings," without attempting to confute one of them, and then *cry out*, that we had "in this charged him with a direct Falshood." If in this he was charged with a direct Falshood, it was not by us, but by his own Expressions, from whence our Arguments were fairly and honestly deduced.

It certainly is as unbecoming, as it is uncommon, for a Person to be guilty of an Offence, and soon after venture, without any Foundation, to charge another with the same; and yet this will appear to be the Governor's Case, to every Person who peruses his Message of the Twenty-ninth of *September* last, wherein he declares, without the least Proof, "our Assertions to be false:" This is Language which does not become one Gentleman to another, much less one Branch of the Legislature to the other. Decency is certainly due to the Governor of the Province. We have reviewed the Messages of the House, and cannot find any Thing that has the least Tendency to "vilify and abuse our Governors," unless the melancholy Period is arrived, when *speaking Truths, and supporting the Rights of a free People, may be deemed so*. Decency is likewise due to the Assembly, as Representatives of the People, and however the Governor may have deviated from it, in his Intercourse with them, and endeavoured to provoke them to follow the Example, the House have carefully avoided it, and proceeded in their Disputes with that Respect which is due to his Station; but, at the same Time, with that Spirit and Resolution, which became the Delegates of a free People, when every Thing they held dear and valuable is attacked and invaded.

We are sorry, that neither the Want of Law, Precedent in our Mother Country, or the direct Prohibition of *Magna*

Charta, have so much Influence with the Governor, as the Practice of preceding Governors. We apprehend, a Practice not supported by, but contrary to, Law, ought to be abolished, not pursued. We also know it to have been the Practice of preceding, as well as of the present Governor, to turn Justices out of Commission without such Enquiry, and either without any Reason at all, or upon private Representations. The Instances are so recent, we need not particularize them. We are therefore at a Loss to know why the same Justice is not due to other Magistrates, as is to *William Moore*. Why one shall be removed without a Hearing, or Enquiry, and another shall be supported against the solemn Examinations of the Assembly? Why the Governor will turn Officers out on private Complaints, and not upon the Address of the Representatives of the People? But further, to shew the Danger of this Attempt in the Governor, your Committee beg Leave to make Use of his Honour's own Arguments against him, nearly in his own Words.

The Power necessary to any Court of Judicature "can only be granted by an Act of Parliament, and when granted," is indivisible in its Nature; "it cannot be parcelled out into Parts;" and, "if it could," we can hardly think it consistent with the Rights of the People, that a Governor, who is obliged to pursue the Advice of a Proprietary Council, and arbitrary Instructions, "should be the Dispenser of it. If a Governor once persuades himself that it is necessary, for the Safety and Peace of the Province, that he should exercise the Power of a Court of Judicature," without the least Tittle of Authority, "in one Case, he may in another: And if we should consent to his exercising one Degree of that Power, he may think himself entitled to claim and exercise the Whole; and by this Means bring all Causes, both civil and criminal, before him in the last Instance, as is the Case in the House of Lords, which is the highest Court of Judicature in the Kingdom. Power once" usurped, "is hardly ever to be regained, and should" this House "depart so far from their Duty as" to permit a Governor to assume, without Law, the extraordinary Power he is so fond of, without protesting against it, "or could" they "think any Governor, or single Man" ought to be permitted by an Assembly of this Province "to enjoy all" the Powers of a Judge, the Grand and Petty Jury, we and our "Posterity would certainly have Reason long to repent it. Will it not appear very extraordinary in the Eyes of all Men, that" the Governor, who has appeared so averse to assuming an Authority which he thinks not expressly granted, and has

refused the Power of giving Judgment on the Impeachment of, and Trial by, the Assembly, or to remove *William Moore* from his Office, upon their Remonstrance, after they had, in the most solemn Manner, enquired into his public Conduct, and found it extremely distressing and oppressive to the Subject, should be so earnest and desirous of usurping a Power, which with the same Degree of Law he "may extend over the Lives, Liberties and Fortunes of our Constituents, without the Aid of Juries, or the common Proceedings of Justice? Such a Power may be safely entrusted" with a Governor, aided by so numerous a Body as the Representatives of the People, "whose independent Stations set them far above Corruption or Party Views; but in the Hands of a single Man, it might prove of ruinous and dreadful Consequences."

Your Committee having thus vindicated the House from the Imputation of treating the Governor ill in our late Message, and shewn the dangerous Tendency of instituting a new Court of Judicature, unsupported by Law, with Design to defeat an inherent Power in the Assembly of impeaching Criminals, and redressing Aggrievances, we shall carefully consider that Part of his Honour's Message, in which he has endeavoured to shew the bad Consequences that might attend the Power of impeaching and trying Offenders before him.

The Power of impeaching Criminals, and redressing Grievances, the Governor agrees, is granted by the Proprietary Charter to the Representatives of the People. By the Royal Grant, the whole Powers of Legislation, and of raising Money, are expressly given to the Proprietary, or his Deputies, with the Advice and Assent of the Delegates of the Freemen of the Province. The Mode of exercising that Power has ever been, as near as might be, in a Parliamentary Way, though our Circumstances are very different from a *British* Parliament, and the Method is not expressly pointed out. The Governors of this Province have ever assumed all the Legislative Authority of the House of Lords, with every Incident thereto, though no more expressly granted to them, than the Power of judging on the Impeachments of the Assembly. The Impeaching and Trying of Criminals, and judging thereon, your Committee apprehend, is a concurrent Power in the House of Lords and Commons, and cannot be exercised by one of them without the other. This Power, we conceive, is a necessary Incident to the Legislative Authority, and cannot be separated from it. It is vested in different Persons, and distinct from that by which the King and Lords assume the Cognizance of

all the Transactions of inferior Courts, correct and redress their Errors. The Power of impeaching and judging thereon is incident to the Legislative Authority; the Power of correcting the Errors of inferior Courts, vested in the King and Lords, we apprehend, is independent of it, therefore the Commons have it not, and other Courts of Justice exercise it without any Legislative Capacity. The requesting the Governor to assume a concurrent Jurisdiction with the Assembly, incident to their Legislative Capacity, and implicitly granted him by the Royal Charter, cannot, with the least Appearance of Reason, be construed to invest him with other Powers distinct therefrom, and neither expressly or implicitly granted, nor incident to his Legislative Authority, as is the Case of this remedial Power of the King and Lords. So that the Governor might and ought to persuade himself, that it is necessary for the Peace and Safety of the Province, that he should exercise the Power of the House of Lords, in some Cases, *to wit*, in Matters of Legislation, and judging on Impeachments, which is an Incident thereto, and implicitly granted; but nothing could justify him in assuming other distinct Powers of the House of Lords, which are not incident thereto, and neither expressed or implied in the Royal Grant.

The Governor is pleased to say, "our Method of Reasoning is dark and mysterious, a middle State in Legislature, consisting of two Estates only, is to him incomprehensible." The House have endeavoured to convey their Ideas with Perspicuity, and we apprehend, in this Case, a little Good-nature and Attention, could the Governor spare them, would readily have unfolded the Mystery. In one Part of the Message it is said, "the Governor may be deemed to supply a middle State;" in another, quoted by the Governor, "That he may be deemed to supply the Place of the House of Lords, in an inferior Degree." Had the Governor given proper Attention to the Words, it was no *difficult* Task to understand them.—'Tis easy to conceive that two Persons may be invested with the Powers of a third, or that one of two States may supply the Place of a third. But what gives us most Astonishment is, that the Governor, in order to find Reasons to support his Assertions, should descend so far as to affirm, that "we agree with him that the House of Lords hath the sole inherent Powers of trying Impeachments." Upon this Position the Governor is pleased to build all the "dreadful and ruinous Consequences" that would attend his accepting the Assembly's Offer; and in Pursuance thereof he declares, that the House were "desirous of investing him with a Power over the Lives, Liberties and

Fortunes of our Constituents, without the Aid of Juries, or the common Proceedings of Justice." This Assertion of the Governor's, your Committee beg Leave to say, is without the least Foundation, and they cannot conceive in what Part of the Message the Governor could find it.

The House were not so ignorant of the Powers of Parliament, as to advance so great an Absurdity. But if the Governor claims it as one of the Privileges in Controversy, to make his Opponents speak what he pleases, be it ever so absurd or distant from their Thoughts, or the Meaning of their Expressions, he may first lay down such Principles as will best suit his Purpose, take them for granted, and make them speak the greatest Inconsistencies in Nature. "The House of Lords, as we find, have a Power of judging or determining upon the Complaints of the Commons, but do not assume to themselves Trial at common Law; neither do the Lords at the Trial of a common Impeachment by the Commons, *decedere de Jure suo*, for the Commons are then instead of a Jury, and the Parties Answer, and the Examination of Witnesses are to be in their Presence, or they to have Copies thereof, and the *Judgment* is not to be given by the Lords, but upon their *Demand*, which is instead of a *Verdict*, so the Lords do only *judge*, not *try*, the Delinquent." In the Case of *Simon de Brereford*, the Lords "disclaimed that they had such a Power of *trying* others than their *Peers*, and confess it was contrary to the *Laws of the Land*." For when the Commons impeach a Delinquent, they are *Patria sua*. If this was not so, the Lords might try a *common Person* in direct Breach of that fundamental Maxim in the Constitution, that every Man shall be tried by his *Peers* or *Equals*. Hence the Power the House offered the Governor, being no more than the Power of the House of Lords, in the Case of an Impeachment of a *common Person*; it was not the Powers of *Trial*, or of a *Jury*, but simply that of giving *Judgment* upon the *Demand* of the Assembly, they being satisfied of the Guilt of the Person charged; such a Power as three Justices of every Quarter Sessions, and two Judges of the Court of Oyer and Terminer, constantly exercise. The Trial was to be by Thirty-six Men, the *Peers* and *Equals* of the Delinquent, returned not by a *Sheriff*, but by the *general Voice and Approbation of the Freeman of the Province*, without whose *Demand* no Judgment can be given, or Punishment inflicted. Thus the "dreadful and ruinous Consequences," painted in the Governor's Imagination, and which he would have persuaded the World the House were introducing in the Constitution, are vanished,

and more Security appears in this Mode of Trial, than any other known in the Government.

But the Governor is pleased to say, "we are desirous to destroy at once the great Bulwark of *English* Liberty, and throw an Odium upon Trials by Juries, and the Judgement of our Peers." Could the Governor be serious in this Charge, or expect that the meanest Capacity cannot see the Force of the Arguments in Support of it? The House endeavoured to shew that Trials by and upon the Impeachment of the Assembly were attended with as much, if not more, Security to the Rights of the People, than the Trials by a Jury; the one being by Thirty-six Men, returned by the Freemen of the Province, from all Parts of it, who cannot be presumed to be dishonest, or prejudiced against any particular Person, nor partial or corrupt; and the other returned by a *single* Person, who may be with more Ease corrupted than a "*public Body*." To explain this Truth, which the Governor seems so unwilling to understand, A Sheriff is but a *single Person*, the Representatives of the People in this Province are in Number *Thirty-six*.—A *single Person* is more easily corrupted than *Thirty-six*; for if it requires an *Hundred Pounds* to corrupt *one* Man, it will require *Thirty-six Hundred* to corrupt *Thirty-six*. Corrupt the Sheriff, and the Jury is packed of Course: "But to say that an Assembly will be partial, or unjust, or corrupt, or do any Thing out of Malice, is to raise a Scandal upon the whole People, "whose Representatives they are." *Lex. Parl.* 62. 63.

The Governor is pleased to ask, "What Man would not rather trust his Cause to his Friends and Neighbors, chosen and sworn for that particular Purpose, than to any standing Body whatsoever?" Your Committee apprehend it would not have been imprudent in the Governor to have considered that this Mode of Reasoning militates more against the Honour and Justice of a *British* House of Commons, than against an Assembly, annually chosen. The House of Commons is a "standing Body," and have often assumed the same Power the House contend for; and yet, till now, we never have heard of any Person who has ventured so far to reflect on the Honour and Justice of that respectable Body, as to insinuate that there is greater Security in a Trial by a *Jury of Twelve* Men, than by that *august and honourable House*.

The Governor further adds, that "a Governor must be made a very insignificant Person indeed, if he was abliged to yield implicit Obedience to the Address of an Assembly." Your

Committee are of Opinion with the Governor, that he is not to be obliged by an Assembly to do any Thing contrary to his "Reason and Judgment:" We wish he was as free and independent of arbitrary Proprietary Instructions and Council, as he is of the Representatives of the People; we should then have some Ground to believe that he would exercise his own *Judgment* and *Reason*, and more would be done for the Country and his Majesty's Interest, than ever will be under his present Situation. But the Governor should remember, that there is little Difference with respect to his "Significancy" in the Government, whether he is obliged to obey an Address of an Assembly, or the Instructions of the Proprietaries, and the Advice of their Council. In either Case he is equally "insignificant." The Crown has repeatedly, upon the Address of the Commons, removed the greatest Men in the Nation from Public Offices, and sometimes where it was on *Rumour* only; and your Committee have Reason to believe, that our most gracious Sovereign, when the House shall address him, and lay the Affidavits taken in this Case before him, he will not think it beneath his "Significancy," and Importance in the Nation, to listen to, and redress, the Complaints of his appressed Subjects in the most distant Parts of his Dominions; his Ear, we doubt not, will be open to the Cries of the Widow and Fatherless, as well as to the Address of the Representatives of his free Subjects in this Colony.

The Governor is pleased to assert, "he never has invaded the Constitution:" We are charitably induced to hope he thinks so; but if he does, it must arise from a very great Defect in the Knowledge of our Constitution. Incontestable Facts are against the Governor;—Facts, for the Truth whereof we appeal to his own Confession and Messages. He has declared, "that the whole Powers of Legislation are in the Governor and Assembly, and that it consists of two Branches only." If this be the Case, as it truly is, by the express Words of the Royal Grant, in Virtue of what Right or Authority do our Proprietaries, Strangers to our Situation and Circumstances, from Time to Time give unreasonable and arbitrary Instructions, respecting Matters of Legislation.—Instructions that impede his Majesty's Service, prevent the Defense of his Colony, and in their Consequences, if not withdrawn or superseded, must inevitably destroy the Province.—Why did the Governor accept of them or his Commission under *such Terms*? And why is he now, though he has from Experience found them to be very pernicious, resolved to execute them? By Virtue of what Right does the Governor undertake to

nominate Commissioners in Bills, by which the Public Money is to be disposed of, and invade one of the most essential Rights of the Assembly, the amending their Supply Bills? If these are not *Invasions* of the Constitution, we have no Constitution at all. Your Committee agree with the Governor, that "Public Danger surrounds us on all Sides," and that we have very "vigilant Enemies, both foreign and domestic, who indeed threaten us with Oppression and Slavery." Of the two our domestic Enemies are most to be dreaded, who are in the Bowels of our Country, and so far join with our foreign Enemies, as to embrace the *same Opportunity*, while they are distressing us Abroad, to execute their arbitrary Schemes at Home. Slavery is of the same Nature, let it come from what Quarter it may; and your Committee have little Reason to hope that either salutary Laws will be passed, the Country defended, or his Majesty's Interest promoted, while the Governor is tied down to the Advice of a *Proprietary Council*, and bound to obey the most *arbitrary Instructions*, which, if long continued, must sacrifice one of his Majesty's Colonies to the ambitious Views of Private Men."

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House, reported, they had delivered the same according to Order; and acquainted his Honour the House inclined to adjourn to *Monday*, the Fourth of *September* next; to which he was pleased to say, it was very well.

The Governor, by Mr. Secretary, sent down a Message to the House, with some Papers referred to therein, and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

'I LAY before you a Letter I have just now received from General *Forbes*, on which I desire to know your Resolutions before you rise, that I may be enabled to give him a proper Answer.

Teedyuscung has renewed his Request to have the Houses finished at *Wyoming*, for which this Government stands engaged. I propose sending the same Gentlemen that were appointed last Year, and shall recommend it to the Commissioners to defray the Expences that will attend the Execution of this Commission.

May 3, 1758.

WILLIAM DENNY."

The General's Letter, sent down with the Governor's Message, was read, and is as follows, *viz.*

SIR,

FINDING that the Storeship with the Tents, Arms, &c. has not arrived from *England* with the Transports, I applied to General *Abercrombie*, to know how I was to proceed, with regard to Camp Necessaries, and his Answer is:

"With regard to Camp Necessaries for the Provincials, they must be furnished by the different Provinces; those to the Northward have agreed to it, and their Troops are to come provided with them at their Expence." I must therefore beg to know the Resolution of the Province upon this Subject directly.

Upon your Application, I promised to send an Hundred of the *Royal Americans* up toward *Reading*; but as these Companies are very sickly, coming from *Carolina*, and very much want some Days of Rest and Refreshment, I must therefore beg you will excuse me from my Promise, and in their room you may send some of the new raised Provincials, which will answer every Purpose fully as well.

I should be glad to know your Opinion of the Party of *Cherokees* at *Carlisle*, whether they should be allowed to proceed, or turned another Way. I should likewise want very much to know how far the Province thinks themselves obliged to take Care of those *Indians*, by Presents, Cloathing, &c.

I beg, Sir, that the Orders about the Light Horse may be given as soon as possible: And that you will likewise be so good as to order the Horses to be placed, for the Conveying Intelligence through your Counties, according to the Plan given to you by the Quarter-master General.

I really think *Teedyuscung's* Demands ought to be agreed with, as he has the public Faith for the making such a Settlement, although I would parry off all Convoy of Troops, as Ax-men and Carpenters will answer all his Purposes, and I think that he and his Tribes ought to be our Guards for those Back Settlements this Summer, as we shall want all the Troops somewhere else. I am, Sir, with great Regard,

Your most obedient and most humble Servant,

Philadelphia, May 3, 1758.

JOHN FORBES."

With the above Letter from the General, Mr. Secretary laid before the House one from Capt. *William Thompson*, dated at *York-Town*, the Twenty-sixth of *April*, to Colonel *Armstrong*, acquainting him, that the *Cherokees* and *Catawbas*, who left *Fort Loudoun*, to go to War, marched in Company till they crossed *Juniata*, at which Place some Misunderstanding arising among them, occasioned the four *Catawbas*

to return to the Fort, but the *Cherokees* proceeded towards Fort *Duquesne*, by the *Franks-Town* Road: That they proposed being out twelve or fourteen Days, and said, if their Brethren of *Pennsylvania* had any Inclination to hold a Treaty with them, they were sure a Present would be sent them by the Time they returned: That he (Captain *Thompson*) intending to set off for Fort *Loudoun* the next Day, and not having received any Orders respecting the said *Indians*, would be glad to know, as soon as possible, what his Honour the Governor, and the Assembly, intended to do with them.

The House taking into Consideration the Governor's Message, General *Forbes's* Letter, and the Intelligence from Captain *Thompson*; after some Time spent therein,

Ordered, That Mr. *Hughes*, Mr. *Galloway*, Mr. *Masters* and Mr. *Yorke* be a Committee to prepare and bring in an Answer thereto.

The Committee appointed to prepare an Answer to the Governor's Message, &c. reported the same to the House, which being read, and, after some Alterations, agreed to, was signed by Mr. Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WE much approve of your Design in sending the same Gentlemen that were appointed last Year to finish the Houses begun at *Wyoming*, at *Teedyuscung's* Request, and as the more expeditiously this Measure is executed, the sooner we shall have an *Indian* Barrier in that Quarter; we hope no Time will be lost in dispatching them.

With respect to the General's Demand of Tents, Arms, Camp Necessaries, &c. for the Provincials, we beg Leave to observe, that by his Majesty's Royal Instructions, by his Secretary of State, the Whole that the King expected or required from us, was the Levying, Cloathing and Paying the Men; in Consideration of which, we have supplied as large a Number of Men as the present Circumstances of our Constituents would admit: The Supplies in the Bill are appropriated to these Purposes, which we are very apprehensive they will fall short of answering; and as we presume the General must be invested with Powers to supply these Things, agreeable to the Royal Promise, in case of any Accident, we doubt not he will cheerfully comply with it.

As we understand the *Cherokees* are invited by the Crown to assist in the general Defence of the Colonies, which receive an equal Benefit from their Services, we are of Opinion they should either be maintained, cloathed, &c. by the Crown, or at the general Expence of the Colonies, and not by this

Province only; which must appear the more reasonable to your Honour, as you know this Government has very lately expended large Sums of Money in *Indian Affairs*, from which the other Provinces have received equal Advantages, though they have not contributed any thing towards the Expence thereof.

May 3, 1758.

Signed, by order of the House,
THOMAS LEECH, *Speaker."*

Ordered, That Mr. *Hughes* and Mr. *Baynton* wait on the Governor with the foregoing Message, and deliver the same.

The House then taking into Consideration the Part of the Governor's Message of the Twenty-ninth *ultimo*, relating to the Appointment of a Barrack-Master, together with the Provincial Treasurer's Remonstrance, respecting the Nomination of a Collector of Excise for the County of *Cumberland*,

Resolved, That *Joseph Fox*, Esq; be, and he is hereby appointed to the Office of Barrack-Master, with full Powers to do and perform every Matter and Thing which may be requisite to the comfortable Accommodation of his Majesty's Troops within the Barracks lately erected in this City.

Resolved, That *Benjamin Chambers* be, and he is hereby appointed Collector of Excise for the County of *Cumberland*, in the Place of *Nathaniel Wilson*, who hath resigned the said Office.

Then the House adjourned to *Monday*, the Fourth Day of *September* next.

September 4, 1758.

MR. Speaker, and several of the Members, met pursuant to their Adjournment; but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

September 5, 1758.

Mr. Speaker, with a Quorum of the Members, met, pursuant to Adjournment.

Ordered, That Mr. *Roberdeau* and Mr. *Grubb* wait on the Governor, and acquaint him, that as there is but a bare House collected, and the several Committees are not yet ready to lay the public Accounts before them, they incline to adjourn till *Monday* next, unless the Governor has any Business of Importance to communicate to them, which requires their immediate Attention.

Ordered, That Mr. *Hughes*, Mr. *Masters*, Mr. *Baynton*, Mr. *Gibbons* and Mr. *Yorke* be a Committee to settle the Account of Incidental Charges.

The Members appointed to wait on the Governor with the Message of the House, reported, they had delivered the same according to Order; and that in Consequence thereof, his Honour had given Directions to Mr. Secretary to lay before the House a Letter just received by the Governour from *Admiral Boscawen*.

Mr. Secretary brought down to the House the said Letter from the Admiral, with a verbal Message from the Governor to them, recommending that they would comply with the Request therein contained, which Letter was read, and follows in these Words, *viz.*

SIR, Namure, Louisbourg Harbour, August 5, 1758.

AS the great Trade of the Colony of *Pennsylvania* is a Nursery for many able and good Seamen, and as Trade depends much on destroying the Enemy's Privateers, I hope for your Assistance for some Recruits towards manning the Fleet under my Command, and if you would send me Three Hundred, I should thereby be enabled to send to Philadelphia the *Echo*, of Thirty-two Guns, taken here, and will appoint her to that Station directly, as soon as you will furnish Men for that Service. I send the *Port-Mahon*, under the Command of Captain *Wallis*, who is a very discreet Officer, with this; he has my Orders to receive any Men you may raise for his Majesty's Service. I am told the Merchants, Planters, and Gentlemen of the Assembly, will be ready to give their Assistance on this Occasion. I am,

SIR, Your most obedient humble Servant,
Ed. BOSCAWEN."

To his Excellency WILLIAM DENNNY, Esq;

A Petition from *Joseph Thomas*, Miller, was presented to the House and read, praying to be appointed the Officer for inspecting and branding Flour exported from this Province.

Ordered to lie on the Table.

The House taking into Consideration the Request of *Admiral Boscawen* to the Governor, and having spent some Time therein, the following verbal Message was agreed to, and sent up to the Governor, *viz.*

"Upon considering the Admiral's Letter, laid before us by your Secretary, we apprehend it is not expected that the Recruits therein mentioned should be at the Charge of this Government; besides, we have already granted such large Aids to the Crown, at the particular Requisition of the Secretary of State, and at a great Expence to the Province fitted out a Ship of War, now on a Cruise, for the Protection of

Trade, that it is not, under our present Circumstances, in our Power to comply therewith, the public Funds being nearly expended, and many of the Troops, in the Service of the Crown, yet unpaid. The Application, we apprehend, is to your Honour, for your Assistance (as the executive Part of Government) to the Gentlemen commissioned by the Admiral for that Purpose."

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

September 11, 1758.

The House met, pursuant to their Adjournment.

A Petition from *Stephen Shewell* was presented to the House and read, praying to be appointed the Officer for inspecting and branding Flour exported from this Province.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 12, 1758.

The Provincial Commissioners laid before the House a Letter from the Governor of this Day, relating to the Expences of the ensuing *Indian* Treaty, which was read, and ordered to lie on the Table.

An Account from Major *Burd* was laid before the House for several Sums of Money advanced by him to certain *Indians*, in Behalf of the Province.

The Governor, by Mr. Secretary, sent down to the House a written Message, with some Papers therein referred to, and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

"THE Honour and Interest of this Province are so deeply concerned in the late Request made by Admiral *Boscawen*, to furnish him with a Number of Seamen, that I cannot avoid recommending it strongly to you to re-consider the Matter. You will please to remember, that his Majesty, in a Letter from Mr. *Pitt*, his principal Secretary of State, bearing Date the Thirtieth Day of *December* last, laid before you in *March*, signified to me his Royal Pleasure that all legal Methods should be used to supply the Commander in Chief of his Ships in *North-America* with such a Number of Sailors, from this Province, as he should, at any Time, require for his Majesty's Service. When, therefore, I received the Admiral's Letter, generously offering that the *Echo*, a Ship of Thirty-two Guns,

should, in Return for a supply of the Seamen demanded, be immediately stationed here for the Protection of our Trade, I made no Doubt of your readily acceding to so advantageous a Proposal.

'You are pleased to say, that it is not in your Power to comply with this Requisition, because the Province hath been at a very great Expence in fitting out a Ship of War, now on a Cruize for the Protection of your Trade, and the public Funds are near exhausted.

'Gentlemen, when you consider that a Man of War, stationed on your Coast, will render, for the future, the Province Ship useless, that the great Sums necessarily expended in supporting her, will thereby be saved, and at the same Time your Trade will be more effectually secured, I am persuaded you will agree with me, that it is your Duty, as well as your real Interest, to fall on proper Means to furnish the Admiral with the Number of Seamen he demands, without Delay.

'New Funds will be wanting, to supply the Deficiency of those already raised; but it is certain that the Taxes hereafter to be imposed will be easier on the People, if, by the Measure proposed, the heavy Expences of supporting the Province Ship can be saved to them.

'I have the Pleasure to acquaint you, that, from the present Face of Things, *Indian Affairs* seem to have a very favourable Appearance. Since your Adjournment in *May* last, I have been particularly attentive to improve every Opportunity that has offered, to reclaim such of them as have joined our Enemies, and of conciliating the Affections of the *Indians* in general. Several Messages and Conferences have passed between us, in Consequence of which a general Meeting has been agreed upon, to be held at *Easton*; and I have lately received Intelligence that many are already arrived on our Frontiers, and great Numbers are assembling together, and may be daily expected there. At this Treaty the Governor of the *Jersey* has, by the particular Desire of the *Indians*, agreed to attend; and, in order to make an extensive as well as durable Peace with the *Indians* in general, I have invited the Governors of *New-York*, *Maryland* and *Virginia*, and Sir *William Johnson*, to favour me with their Presence and Assistance.

'A very considerable Expence must necessarily attend this important Transaction, which the Commissioners have agreed with me to defray out of the Sum last granted to his Majesty by this Province. I hope every Hand and Heart will be

united in endeavouring to bring to a happy Issue this Treaty, so interesting to his Majesty's Service, and the Colonies in general.

September 12, 1758.

WILLIAM DENNY."

The Papers sent down with and referred to in the foregoing Message, were, Secretary *Pitt's* Letter, of the 30th of *December* last, and some Conferences held by the Governor with *Teedyuscung*, and other *Indians*, during the Recess of the House.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Fox*, Mr. *Baynton* and Mr. *Masters* be a Committee to prepare and bring in an Answer to that Part of the Governor's Message of this Day, which respects Admiral *Boscawen's* Demand of Seamen from this Government.

Ordered, That Mr. *Norris*, Mr. *Galloway*, Mr. *Roberdeau*, Mr. *Masters*, Mr. *Gibbons* and Mr. *Ingham* be a Committee to enquire into the Management of the late Hearing and Acquittal of *William Moore*, Esq; before the Governor and Council, and report thereon to the House this Sitting; and the said Committee have Power to send for Persons, Papers, &c.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 13, 1758.

The House met, and adjourned to Three o'Clock, *P. M.*

The Governor sent down to the House, by Mr. *William Peters*, Deputy Secretary, a written Message, together with a Letter to his Honour from General *Forbes*, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'I LAY before you a Letter from General *Forbes*, which I have just received by Express. You will thence collect the Situation of Affairs under his Direction; and I most earnestly entreat you will consider it, and, on this pressing Occasion, do every Thing in your Power to promote the King's Service, by falling on the most speedy and effectual Method for supplying the King's Army with Carriages, for want of which the General is in the utmost Distress.

September 13, 1758.

WILLIAM DENNY."

SIR,

Fort Loudoun, *September 9, 1758.*

I HAVE the Honour of laying before you the Situation of his Majesty's Affairs under my direction in these Southern Provinces, at this critical Juncture; and at the same Time to shew you how much it depends on you and the People of this

Province, to assist in carrying on a Service which his Majesty has so much at Heart, or, by their Neglect and Obstinacy, have it in their Power to render every Step that has been taken (for the Safety of these Colonies) fruitless, and to no Purpose, but to expend a very great Sum of Money.

The laying in Provisions for the Support of the Army I attempted to do without even being obliged to impress any Carriages. The Quantity of Provisions to have been collected at our principal Magazine, has fallen greatly short of what I had Reason to expect, because most of the Waggon were not loaded with more than Fourteen Hundred Weight, and took a Third more Time in the Carriage than they ought to have done, which obliged us to break in upon the Stock of Provisions laid in at *Rays-Town*, while the Troops were opening a Road over the Mountains, and securing its Communication, which is now effectually done to within forty Miles of the *French Fort*; so that if the Inhabitants who have Waggon are not obliged to furnish a sufficient Number of them, who, in one Trip to *Rays-Town*, might transport the Quantity of Provisions wanted, and where they may receive Payment for the Trip, at a just and equitable Price, to be fixed by Authority, in Proportion to the Quantity of Provisions so delivered, and to the Length of the Journey that they make, the Expedition cannot go forward; nor can I maintain the Ground I am already Master of, but shall be obliged to draw off my Master's Forces to the inhabited Parts of the Country, and take Provisions and Carriages wherever they can be found. The evil which will attend this Procedure is, that the Innocent must suffer with the Guilty, and the Exigence of the Case is so pressing as to admit of no Delay.

I know there has been several Complaints made of the Scarcity of Forage, and that several Waggoners had been abused by Officers: If there was any Scarcity of Forage, it was owing to the Want of Waggon for its Transport; and no Driver ever made his Complaint but the Person who abused him was punished; so that I am induced to believe every Complaint of that Kind is without Foundation, and therefore shall not further insist on a detailed Account of the infamous Breach of Contract on the Part of the Inhabitants.

I have sent to *Philadelphia* the Quarter-Master General, who will explain to you fully the Situation of the Army. I should be sorry to employ him in executing any violent Measures, which the Exigency of Affairs I am in at present

must compel me to do, if I am not relieved by a speedy Law for the providing the Army with Carriages, or a general Concurrence of Magistrates, and People of Power in those Provinces, in assisting, to their utmost, to provide the same, and that with the greatest Diligence.

Every Thing is ready for the Army's advancing; but that I cannot do, unless I have a sufficient Quantity of Provisions in the Magazines at *Rays-Town*. The Road that leads from the advanced Posts to the *French Fort*, may be opened as fast as a Convoy can march it; therefore my Movement depends on his Majesty's Subjects entering chearfully in carrying up the necessary Provisions. The new Road has been finished without the Enemy's knowing it, the Troops having not suffered the least Insult in the cutting it.

And as one Trip of the Waggon's will be sufficient for carrying up Provisions to *Rays-Town*, they shall be paid off at that Place for the Weight they carry, and discharged. When they arrive at *Rays-Town*, I shall have nothing to do, but proceed with the Army under my Command, which hitherto have exerted themselves with the greatest Vigour and Spirit, in the great Labour they have undergone. I have done every Thing, in the Power of Man, to carry on this Expedition with Vigour; if any Stop is made to it now, there can be no Part laid to my Charge; for this Stop you know I have long dreaded, as six Weeks ago I wrote circular letters to the different Magistrates, to give all their Aid and Assistance in procuring Waggon's to the Contractor's Agents, for transporting Provisions, and that nothing has been neglected, that could occur to me, for expediting this so necessary Branch of the Service.

I need not repeat to you the Care I have hitherto been at to prevent our Parties from falling upon the *Indians*, lest, by Mistake, it might have fallen upon those who are any wise well disposed to us, and who are, I hope, by this Time, at *Easton*, to meet you, where I hope you will as soon as possible, bring Things to an Issue, letting the *Indians* know that the Regard I had for them has been the only Reason why I had not long ago fallen upon their Towns, Wives and Children; but that now I could no longer stop from putting in Execution the Orders of the King, my Master, against his Enemies, and all who joined with them.

As you will see Mr. *Croghan*, you will be so good as send him, with those who will follow, up to me as soon as possible; and pray, as soon as you can form any Idea how Matters are likely to turn out, let me know by Express. And I

beg your Sentiments, as to my Proceedings, if God grant us Success, against the Enemy. You see the Difficulty of leaving a Garrison there, and you know how your Province have put it out of my Power of leaving any of their Troops after the First of *December*; so I am really at a Loss what Step I must take. I have the Honour to be,

Sir, Your most obedient and most humble Servant,

JOHN FORBES.

P. S. As I am willing to embrace every Measure for carrying on the Service, I have wrote to several of the Members of the Assembly, to desire their Assistance in relation to Carriages, as I suppose you may think it proper to lay my Letter before them.

The foregoing Letter from the General, together with his Honour's Message attending it, being read some Time spent in Debate thereon, they were referred to further Consideration.

The Committee appointed to bring in an Answer to Part of the Governor's Message of the Twelfth Instant, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same was read.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 14, 1758.

The Governor, by Mr. Secretary, sent down to the House some *Indian* Conferences, mentioned in his late Message, with other Papers relative thereto, some of which were read at the Table.

The Answer to Part of the Governor's Message of the Twelfth Instant being transcribed, was again read, agreed to, signed by Mr. Speaker, and is as follows, *viz.*

May it please your HONOUR,

WE have considered your Honour's Message of the Twelfth Instant, so far as it relates to Admiral *Boscawen's* Requisition of a Supply of Seamen from this Colony, "as Recruits towards manning the Fleet under his Command," and have reconsidered the Secretary of State's Letter of the Thirtieth of *December*, 1757, to which you have been pleased to refer us in your said Message; and are of Opinion, that if it was expected we should recruit his Majesty's Fleet at the Expence of this Province, we are at present so circumstanced that it is not in our Power to comply with it. Your Honour must be sensible, that the Sitting of this Assembly must soon terminate, and the large Grant we have already made to his

Majesty for the Service of the current Year, is almost expended; what little remains we apprehend will be taken up in defraying the Expences of the ensuing Treaty at *Easton*, which though for the immediate Service of the Crown, and the general Interest of the Colonies, is likely to become principally, if not wholly, a Charge upon this Province.

September 14, 1758.

Signed by Order of the House,
THOMAS LEECH, *Speaker*."

Ordered, That Mr. *Baynton* and Mr. *Plumsted* wait on the Governor with the foregoing Message, and acquaint his Honour, that the House will take the other Parts of his last Message into Consideration, and give him an Answer thereto with all convenient Dispatch.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor, reported, they had delivered the Message of the House according to Order, to which his Honour was pleased to say, it was very well.

The remaining Papers, relative to *Indian Affairs*, sent down by the Governor, were read, by Order, at the Table.

The House then taking into Consideration the other Parts of the Governor's Message of the Twelfth Instant,

Ordered, That Mr. *Norris*, Mr. *Masters*, Mr. *Ashbridge* and Mr. *Yorke* be a Committee to prepare and bring in an Answer thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 15, 1758.

The Committee appointed to bring in an Answer to the latter Part of the Governor's Message of the Twelfth Instant, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was ordered to be transcribed.

The said Answer to Part of the Governor's Message being transcribed, was again read, signed by Mr. *Speaker*, and follows in these Words, *viz.*

May it please your HONOUR,

IN Answer to that Part of your Message of the Twelfth Instant, relating to *Indian Affairs*, we heartily approve of the general Meeting, which has been agreed upon to be held at *Easton* as the most probable Means of regaining and confirming the antient Friendship and Alliance of the Natives to the

British Interest; to which End this Province hath exerted itself in a particular Manner, and at a very great Expence.

In an Affair so interesting to our most gracious Sovereign, and the *British* Nation, we sincerely hope with you, that every Hand and Heart will be united in bringing this Treaty to a happy Issue.

Signed by Order of the House,
THOMAS LEECH, *Speaker."*

Ordered, That Mr. Baynton and Mr. Yorke wait on the Governor with the foregoing Message, and acquaint his Honour, that the House have appointed Mr. Norris, Mr. Fox, Mr. Hughes, Mr. Roberdeau, Mr. Galloway, Mr. Masters, Mr. Strickland and Mr. Gibbons to be a Committee to attend the ensuing Treaty at *Easton*.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Messages of the House, reported, they had delivered the same according to Order.

The House went upon the Consideration of a Supplement to the Flour Act, near expiring, and after some Time spent therein, adjourned to Nine o'Clock To-morrow Morning.

September 16, 1758.

The House taking into Consideration General *Forbes's* Letter of the Ninth Instant, for procuring a Number of Wagons to transport Provisions to *Rays-Town*, for the Use of the Army,

Ordered, That Mr. Norris, Mr. Fox, Mr. Masters, Mr. Melvin, Mr. Hunt, Mr. Saunders, Mr. Allen, Mr. Yorke and Mr. Plumsted be a Committee to prepare and bring in a Bill for that Purpose.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

September 18, 1758.

The House met, pursuant to their Adjournment.

The Committee appointed to bring in a Supplementary Bill to the Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported, they had essayed a Draught, for that Purpose which they delivered at the Table, and the same being read the first time,

The House adjourned to Ten o'Clock To-morrow Morning.

September 19, 1758.

The House resumed the Consideration of the Supplementary Bill to the Act, entitled, *An Act for regulating the Hire of*

Carriages to be employed in his Majesty's Service, which was read the second time, and ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The Supplement to the Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Grubb* and Mr. *Wayne* wait on the Governor therewith for his Assent to the same.

The Committee appointed to enquire into the Management of the late Hearing of *William Moore*, Esq; before the Governor and Council, reported they had made some Progress therein, but that one *Benjamin Robinson*, a material Witness, had refused to appear before them;

Whereupon it was ordered,

That the Clerk do make out a Warrant to the Serjeant at Arms, for taking, and forthwith bringing the said *Robinson* before the said Committee; which Warrant being made out accordingly, the same was signed by Mr. Speaker, and delivered to the Serjeant.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 20, 1758.

The Members appointed to wait on the Governor with the Supplement to the Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported they had delivered the same according to Order, and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

The Governor, by Mr. Secretary, sent down the Bill, entitled, *A Supplement to the Act, entitled, An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, with a verbal Message, that his Honour would attend in the Council Chamber at half after Twelve o'Clock, to enact the same into a Law.

A Message by the Secretary:

SIR,

"The Governor desires the Attendance of Mr. Speaker, and the House, in the Council Chamber, in order to enact the Bill, which has been agreed upon by the Governor and Assembly, into a Law."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour with the Bill, entitled, *A Supplement to the Act, entitled, "An Act for regulating the Hire of Carriages to be employed in his Majesty's Service,"* to which the Governor had been pleased to give his Assent, by enacting the same into a Law.

Ordered, That Mr. *Smith* and Mr. *Roberdeau* do see the Great Seal affixed to the said Law, and the same deposited in the Rolls Office.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to see the Great Seal affixed to the Bill passed into a Law in the Forenoon, and the said Law deposited in the Rolls Office, reported, they had seen the same done according to Order.

The House then resumed the Consideration of the Flour Act, near expiring, and after some Time spent therein,

Ordered, That Mr. *Norris*, Mr. *Masters*, Mr. *Ashbridge* and Mr. *Ingham* be a Committee to prepare and bring in a Bill for extending the Continuance of the Supplement to the Act, entitled, *An Act for preventing the Exportation of Bread and Flour not merchantable*, and for the new Appointment of Officers to put the said Law in Execution.

The Committee appointed to bring in a Bill for the Purposes above mentioned, reported a Draught thereof to the House, which was read the first time, and ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 21, 1758.

The House resumed the Consideration of the Bill, entitled, *An Act for the Continuance of the Supplement to the Act, entitled, An Act for preventing the Exportation of Bread and Flour not merchantable*, &c. which was read a second time, and ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The Bill, entitled, *An Act for the Continuance of the Supplement to the Act, entitled, An Act for preventing the Exportation of Bread and Flour not merchantable*, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor therewith for his Assent to the same, and acquaint his

Honour, that the Clerk's Absence from the House is the Reason of the said Bill's being signed by the Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 22, 1758.

The Members appointed to wait on the Governor with the Bill passed last Night by the House, reported, they had delivered the same according to Order, and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Gibbons* and Mr. *Strickland* wait on the Governor, and acquaint him, that the House are desirous to know whether his Honour has yet considered the short Bill before him, and when they may expect his Result thereon, their Time being now very short, and the Governor liable, on a few Hours Warning, to be called upon to attend the *Indian Treaty at Easton*.

The Members appointed to wait on the Governor, return, and report, they had delivered the Message of the House according to Order, and that his Honour was pleased to say, he had the Bill, sent up last Night, then under Consideration, and should give it all the Dispatch in his Power; but did not know when the House might expect his Result thereon.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 23, 1758.

The House met, and adjourned to *Monday* next, at Three o'Clock in the Afternoon.

September 25, 1758.

Mr. Speaker, with Twenty-two of the Members, met, pursuant to Adjournment, but one being wanted to make a Quorum, they adjourned to Eleven o'Clock To-morrow Morning.

September 26, 1758.

The House met, pursuant to their Adjournment.

The Governor, by Mr. Secretary, sent down the Bill, entitled, *An Act for the Continuance of an Act of Assembly of this Province, entitled, A Supplementary Act to the Act, entitled, "An Act for preventing the Exportation of Bread and Flour not merchantable," and for the new Appointment of Officers to put the said Law in Execution*, with a verbal Mes-

sage, that he would be ready to pass the same into a Law, whenever it should be presented to him for that Purpose.

Ordered, That the Bill, returned by the Secretary, to which the Governor hath given his Assent, be immediately engrossed.

Ordered, That Mr. *Morton* and Mr. *Trimble* wait on the Governor, and acquaint him, that the Bill, to which he hath given his Assent, may be engrossed by Five o'Clock in the Afternoon, if at that Time it would be agreeable to his Honour to enact the same into a Law.

The Members appointed to wait on the Governor with the foregoing Message, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would attend at Five o'Clock this Afternoon in the Council Chamber, to enact the said Bill into a Law.

The Committee appointed to enquire into the Management of the late Hearing of *William Moore*, Esq; before the Governor and his Council, delivered their Report thereon to the House, in Writing, which was in Part read.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill returned by the Governor in the Forenoon, being engrossed, was compared at the Table.

The Governor sent down to the House the following verbal Message, *viz.* "That his Honour was very sorry it was not in his Power, from the Secretary's being suddenly called out of Town, to attend the House at the Hour appointed this Afternoon; but that he would be in the Council Chamber at Eleven o'Clock To-morrow Morning, in order to enact the Bill agreed upon into a Law."

The remaining Part of the Report of the Committee appointed to enquire into the Management of the late Hearing and Acquittal of *William Moore*, Esq; before the Governor and Council, being read, was agreed to by the House, and follows in these Words, *viz.*

YOUR Committee, upon examining the Minutes of the last Assembly, find, That from the Commencement to the End of their annual Session, they were repeatedly interrupted in the Business of Legislation by a Number of Petitions presented to the House, from Time to Time, by the Inhabitants of *Chester County*; some of them signed by a great Number jointly, others singly, by distressed Widows, and many poor labouring Men, who were burdened by large Families of small Children, charging *William Moore*, as well with many Acts of Injustice, Extortion and fraudulent and corrupt Practices in his Office of Justice of the Peace, as in his private Trans-

actions as a Dealer, and entreating that House to redress their respective Aggrievances; some of them declaring, that unless they could obtain it from them, they had not the least Expectation of it from any other Quarter; having, from Time to Time, as is well known to your Committee, made several fruitless Applications to the executive Part of Government for that Purpose; but through the Interest of the said *Moore*, by himself, or the Intercession of his Friends, their Complaints had been disregarded, and their Injuries not only unredressed, but unheard. We further find, that House, in Compassion to the distressed Petitioners, and from a just Sense of their Duty, having given the said *Moore* repeated Notices to attend and vindicate his Conduct, if he could, proceeded to examine into the Complaints, with the utmost Candour and Impartiality, and in the most public and solemn Manner, a great Number of the reputable Inhabitants attending on that Occasion. And many Acts of Extortion, fraudulent and corrupt Practices, and excessive Oppression, being fully proved against him, by a great Number of Witnesses, to the general Satisfaction of the House, they apprehended it their indispensable Duty to address the Governor to remove the said *Moore* from his said Office of Justice of the Peace, and from all his public Offices, Posts and Employments within the Government, under an Expectation thereby to procure, for the future, an Indemnity to the unhappy Sufferers, and that Relief which it is the Right of every Subject to expect under an *English* Government.

But the Governor, regardless of the Address of the Representatives of the People, through the Influence of some of the Proprietary Council, as your Committee have good Reason to believe, hath continued the said *Moore* in his said Office, to the great Terror and Oppression of the People, for near a Twelvemonth, under a Pretence of giving the said *Moore* a Hearing before him and his Council, to satisfy his Conscience, whether the said *Moore* was a fit Minister of Justice.—A great Number of positive and clear Affidavits, taken in the most solemn and public Manner, and laid before his Honour, not being sufficient for that Purpose.

Your Committee must have been at a Loss to account for this strange Conduct in the Governor and his Council, had they not been Witnesses to an apparent Design to overthrow the Constitution, and enslave the People, by depriving their Representatives of their most essential Rights, Powers and Privileges, and particularly that of redressing the Aggriev-

ances of the Subject. We apprehend it cannot be necessary to say much to convince the House, that upon the Preservation of this Power in the Assembly, the Security of the Liberties and Properties of the People essentially depends. It is the most important Check in the Constitution on the Actions of wicked Officers, who hold their Commission during Pleasure, and of Course are under the Influence and Direction of the executive Part of Government. Magistrates, whose Duty it is to administer Justice, and relieve the Distressed, will become the Instruments, in the Hands of Power, to oppress the People, and enslave the Country, when they know they are answerable only to those whom they serve, and will support then *at all Events*. In short, as a due Support and Exercise of this Power in our Assembly must *bring about* an upright Administration of Justice, a faithful Execution of our Laws, and a Restoration of our late happy Constitution; so on the contrary your Committee are of Opinion, the Want of it must, in the End, necessarily render the Liberty and Property of the Subject precarious, tend to a Subversion of our Laws, and an Innovation in the Government, from a State of Freedom and Liberty, to that of the worst of Tyranny and Oppression; the Oppression of inferior Instruments, under Colour of Law.

This Design will appear more evident, when it is recollected, that the late infamous Libel against the Powers of Assemblies, signed by the said *Moore*, was advised and approved of by some of the Proprietary Council, denying the Authority of the Assembly to enquire into and redress the Injuries of the People. Besides, if this was not the Design, your Committee cannot conceive why the Governor, when the Address of the Assembly was presented to him to remove the said *Moore*, and the Affidavits laid before him, containing all the Crimes laid to his Charge, did not order the King's Attorney, who is likewise one of his Council, to prosecute him in the inferior Courts of Justice, where some of them were cognizable. Had a private Person made Information to the Governor, or the King's Attorney, of any Acts of Extortion and Fraud against *William Moore*, can it be disputed that it was not their Duty to set on Foot a Prosecution against him, that public Justice might be done?—Could such an Enquiry as was lately instituted before the Governor and Council, satisfy the Laws or public Justice? Is it reasonable to think that a Governor, who was desirous of honestly discovering the Guilt or Innocence of a Person accused, would not rather chuse to have had him tried by a Court of Justice, appointed by his own Commission, and a Jury of the Country, than by

an illegal, anti-constitutional and arbitrary Mode of Trial before himself and Council, unprecedented in our Mother Country, and but lately instituted here, to serve the Purposes of supporting bad Men in their Acts of Oppression; especially as it was destitute of any legal Power of compelling the Attendance of the Parties or Witnesses, of administering the Oath to them when attending, and every Kind of judicial Authority, necessary to a legal and just Enquiry.

Your Committee therefore apprehend, that this Hearing was calculated, not for the Sake of enquiring into the Guilt or Innocence of *William Moore*, but to render ineffectual the Enquiries of the late Assembly, and to prevent, for the future, the Representatives of the People from exercising that essential Power of examining into their Oppression, and redressing their Grievances; a Power indispensably necessary in a mixt Form of Government, to check and suppress the extravagant and lawless Use of Authority in the executive Part of Government; and therefore is of the most dangerous Consequence to the Freedom of the Constitution, and Rights of the People.

After these Observations, your Committee beg Leave to acquaint the House, that, in Pursuance of their Orders, they proceeded to hear a Number of Persons, who were present at this Hearing before the Governor and Council, who were all examined in the most solemn manner; by whose Testimony the foregoing Observations are abundantly confirmed.

GEORGE ASHBRIDGE and SAMUEL LIGHTFOOT, Esquires, being Examined, both agreed that when several of the Complainants, who charged the said *Moore* with corrupt and fraudulent Practices, appeared to make good their Charge, they were told by the King's Attorney, and one of the Governor's Council, that they would not enquire into any Matters but such only as related to the Malfeazanze in the public Office of the said *Moore*, by which Means many of the Petitioners, who had been greatly injured and defrauded, returned Home unheard. Among which your Committee beg Leave to mention one.

JOHN CARL being examined before the late House of Assembly, declared, that he purchased a Term of Years in a Piece of Land, in *Pikeland* Township, in *Chester County*, for which he paid, and obliged himself to pay, *Three Hundred and Thirty Pounds*. That some short Time after, the Lessor applied to him for *Forty-three Pounds*, Rent due, but unknown to this Examinant at the Time of Purchase; that he, this Examinant, made this known to the said *Moore*, who advised him to make over his Lease to him, the said *Moore*, and also

One Hundred and Forty-seven Bushels of Wheat, Eighty Bushels of Oats, Eight Waggon Loads of Hay, a Waggon, Two Horses, and Gears for Four Horses, promising that he would secure them for him, this Examinant, and his Family, in Spite of all his Creditors. That by these fair Promises the Examinant was prevailed on to assign over the said Lease. That the said *Moore* then produced a Bond for *Fifty Pounds*, and desired the Examinant to sign it, which he refused, declaring, that as he owed him the said *Moore* nothing, he knew not why he should sign that Bond. That the said *Moore* replied, you Fool, if you bring a Child to be christened, must not you give it a Name? I (the said *Moore*) must have something to shew the People why I hold these Goods. That hereupon the Examinant was prevailed on to execute the said Bond, and a Bill of Sale for the Goods before mentioned. That upon this the said *Moore* told him, he would give the Oats to his Horses, that they might be strong to carry him, this Examinant, off in the Spring. That the said *Moore* further advised him, this Examinant, to go to *Germany* and to be seen here no More, and offered him Money to carry him thither. That this Part of his Advice was too terrible, as he could not bear the Thoughts of leaving his Wife and six small Children to suffer Hardships and Want. And this Examinant further said, that he was not, at the Time of the Assignment, indebted any Thing to the said *Moore*, and that he never received any Consideration for his Effects, but one *Pistole*. And that he was not indebted to any other Person than as aforesaid, save *George Ashbridge*, who never sued him.

JOHN ADAMS being examined in Support of the foregoing Facts, declared, that being a Constable in the Neighbourhood, he was frequently asked by the said *Moore*, whether the said *John Carl* was in Being, or whether in Goal or not; upon being told that he was neither dead nor in Goal, the said *Moore* requested the Examinant to advise the said *Carl*, when he saw him again, to go out of the Parts, and to tell him there were many Warrants or Writs out against him, the said *Carl*, that should he be taken, the said *Moore* could not save him from Goal, and that the said *Moore* sent a Horse by the Examinant to the said *Carl*, that he might make the best of his Way off. That the Examinant had no Warrants (though a Constable at the Time) to serve on the said *Carl*, except one, something under *Five Pounds*, whose Issue depended on another Warrant, by which *Five Pounds* was recovered, and paid to the said *Carl's* Wife.

It also appears to your Committee, that the said *Carl* did run away from this Province to *Virginia*, where he remained some Time, and is now returned, but as yet destitute of any Redress against the Fraud of the said *Moore*.

GEORGE ASHBRIDGE being examined, declared, that a considerable Time after he heard that *John Carl* was run away, on or about the Twenty-first of *January*, 1755, he went to *William Moore's*, to see if he had any Effects of said *Carl's* in his Hands, (as the said *Carl* was, at the Time of his absconding, indebted to the Examinant, in a considerable Sum of Money) upon which he, the said *Moore*, told him, the said Examinant, that *Carl* was much indebted to him, and that he had got his Place, for which he gave him, said *Carl*, *Fifty Pounds*; the Examinant then asked him, the said *Moore*, if he would let him have it for *Fifty Pounds*? After a little Consideration, said *Moore* said he would; and accordingly brought the Lease, and sat down to draw the Assignment, but making a Stop, said he had a Judgment Bond of *Carl* for *Fifty Pounds*, besides the *Fifty Pounds* he had bought the Place for; that he also had some Wheat, and a Waggon, with two Horses, that was to be deducted out of it; but there would be a Balance due to him after, and that the Examinant must pay that too, which was agreed to; then the Assignment was made, and the Examinant obligated himself, on the Back of the said Judgment Bond, to pay to said *Moore* what would be justly due to him from said *Carl*, upon a fair Settlement, and the next Day the Examinant paid the first mentioned *Fifty Pounds*; afterwards he, the said Examinant, went to said *Moore*, to have a Settlement, and to pay the Balance that should appear to be justly due upon this Judgment Bond, agreeable to his Contract; but said *Moore* told him, that his Books were not posted, and so could not conveniently settle with him then, and put it off at that Time; the said Examinant went a second time, when he had got an Account of the Effects in said *Moore's* Hands, which to the best of his Remembrance, was One Hundred and Forty-seven Bushels of Wheat, and Eighty Bushels of Oats, a Waggon, Two Horses, and Gears for Four Horses, which he desired to have allowed: But the said *Moore* then would allow no Settlement, but demanded of said Examinant the full Sum of *Fifty Pounds* upon Account of the Judgment Bond; and further said, that nothing short of that Sum should excuse him; the Examinant then told said *Moore*, that he knew what he had been engaged to do, and that he would not pay the *Fifty Pounds*; and farther, that he would not settle with him according to Agreement, he would sue him

to a Settlement, for he would not let his Obligation remain on the Judgment Bond as it was, but that he could not get any Thing done at that Time. That on or about the Eighth Day of *September* following, he met with said *Carl's* Wife, who told, him, that said *Moore* denied having received any Money of the said Examinant for the Place, and offered to go to said *Moore's*, to prove that he had not paid any, which was agreed to. And that they, the Examinant and *Carl's* Wife, did meet at said *Moore's*, and, after a good deal of Discourse, the said *Moore* brought the aforesaid Judgment Bond, and, without any Consideration, offered him, the said Examinant, the said Judgment Bond, and told him to take off his own Seal, without defacing the Bond; but the Examinant replied, that nothing less than taking off his Name, as well as Seal, would satisfy him, and accordingly cut both off, as would appear by the said Bond, were it produced; and that the said *Moore* acknowledged, before the said *Carl's* Wife, that he had received the said *Fifty Pounds*, and denied he had told her to the contrary.

Here your Committee must observe, that had the Governor nothing else in View but "to satisfy his Conscience whether *William Moore* was a fit Minister of Justice." as he had expressly declared, they cannot see why this *heinous* Fraud, so well attested, should not deserve his Notice. For certainly if a Man at once, by Art and Contrivance, can defraud the Creditor of his just Debt, rob the Owner of his Property, and reduce a helpless Family to Poverty and Want, he cannot be esteemed a "fit Minister of Justice," nor hesitate as a Justice of the Peace to perpetrate Crimes, oppressive to the Subject, under Colour of his Office; Power of any Kind ought not to be trusted in the Hands of such a Person.

MICHAEL CYPHER being next examined, declared, that upon the Tenth of *August*, 1755, he purchased of *Conrad Shymer*, in the Presence of *Simon Shunk*, his, the said *Shymer's*, Son-in-Law, a Servant Girl, for which he was to give the Sum of *Four Pounds*. That this Examinant, with the said *Shymer*, went the next Day to the said *William Moore's*, to have the said Servant assigned to him. That when the said *Moore* was about drawing the Assignment, he asked this Examinant what was the Consideration? who answered, *Four Pounds*, the said *Shymer* being by; that the said *Moore* replied, that Sum will not do; it is too mean, and that it would prove to his, this Examinant's, Prejudice, if he intended to sell the Girl again, for if any Person who inclined to purchase would see such

a trifling Sum in the Assignment, it would give them Reason to suspect the Servant was good for nothing, let us therefore put down *Fourteen or Fifteen Pounds*; to which this Examinant agreed. That the Assignment was made accordingly, and *Fourteen Pounds* inserted as the Consideration. That in *March* following, *Conrad Shymer* told him, this Examinant, that he must go to said *Moore's* about the Servant Girl and the Money due for her; that this Examinant accordingly went when *Shymer* being present, *Moore* asked him why he did not pay *Shymer*? That this Examinant replied, that he owed *Shymer Four Pounds* for the Servant, and if *Shymer* desired the Money, that he would pay him. That said *Moore* answered, that was not the Case; that the Bargain was made before him, and that he would be an Evidence that he, this Examinant, was to have *nothing for the Girl, but a handsome Reward for the Sale of her*; which the Examinant denied, and repeated his Bargain again and again, that he had bought the Girl for *Four Pounds*, in the Presence of the said *Shunk*. That the said *Moore* replied, he could or would swear that the Examinant was to have but a *handsome Reward for selling the Girl*, and asked *Shymer* what he would have of the Examinant for his Servant; who replied, *Twelve Pounds Ten Shillings*;—but being told by said *Moore* it was too much, he fell in his Demand from that Sum to *Ten Pounds*, then to *Nine Pounds*,—and at last to *Eight Pounds*;—when the said *Moore* said that was very reasonable, and told this Examinant he must pay that Sum, which he repeatedly refused; when the said *Moore* told the said *Shymer*, he might sue the Examinant, and recover much more of him.—That the Examinant calling to Mind the Offer of the said *Moore* to swear against him to a Bargain never made, and urging *Shymer* to sue him, he was so intimidated and frightened, that he yielded to the Terms proposed by the said *Moore*, as he thought it in vain to contend with two such powerful Opponents. That the said *Moore* immediately drew two Notes of *Four Pounds* each, payable in one Month, which he, this Examinant, signed. That at the End of the Month he paid the *Four Pounds* due on one of the said Notes, and refused to pay the other, desiring *Shymer* would recollect the Bargain, and not insist on it.—That *Shymer* replied, he made no Matter of Conscience in taking it, since the Magistrate thought it was right. That some Time after the said *Moore* sent a Precept for him, the Examinant, for the Sum of *Four Pounds* unpaid, upon which he appeared. That the said *Moore* shewed him the Note, asked him if the

Signing was his Hand.—That the Examinant replied, perhaps it was. That the said *Moore* said he was sure it was, for he was a Witness to it, and asked why he had not paid it. That this Examinant replied, it was an unjust Debt. That the said *Moore* then told him, if he did not pay the Money, or give good Security, he would send him immediately to Goal. That the Examinant produced his Bail, paid the Charges, by the Orders of the said *Moore*, and two Days before the Time of Payment was expired, he also paid the said *Four Pounds* to the said *Moore*.

SIMON SHUNK being examined on some of the said Facts, said, that he was sent by *Shymer*, his Father-in-Law, to bring *Cypher* to buy the said Servant; that he was present when the Bargain was made between the Parties, and that *Four Pounds*, and no more, was the Consideration which the said *Cypher* was to pay for the said Servant.

Your Committee find these several Facts were declared before the Governor and his Council, in Substance as they are above related. But further, to confirm the Truth of the two last Examinations, we think it necessary to add the Examination of *Conrad Shymer*, the Person who sold the said Servant to the said *Cypher*, who said, that about three Years past he sold a Servant Girl to said *Cypher* for the Consideration of *Four Pounds*, and no more, and that there was *nothing to be allowed, or afterwards to be paid to the said Shymer by the said Cypher, as a further Consideration, save only the Four Pounds*, and that he never expected any further or other Consideration. But that when he, the Examinant, was before the said *Moore*, about the said Assignment, he heard some Talk about having the said Assignment drawn, and the Consideration of *Fourteen Pounds* inserted therein; the Reason of which he was ignorant of. That in *March* following a certain *Michael* and *Adam Hollman* came in Company, and informed this Examinant, that by bringing said *Cypher* before said *Moore*, he might get considerably more Money for the said Servant than the *Four Pounds*, for which he had sold her; and that the Person who told him of this Scheme, desired him to come down and get *Cypher* with him, and that the Examinant need not say any Thing, for that every Thing relating thereto was determined on already. That accordingly the Examinant did acquaint said *Cypher* that he must appear before said *Moore* about said Servant, which they both did, and that the said *Moore*, did draw and procure for the Examinant two Notes, for *Four Pounds* each, payable to him by said *Cypher* one Month after Date. That at the same Time he was

sensible that it was wrong in him to take *Four Pounds* more for the said Servant than what he had sold her for, but thought as the said *Moore*, who was a Justice, did not object, he might safely do it; and that at the same Time the said *Moore* well knew that the Girl was really sold for *Four Pounds*, and no more.

EDWARD HUGHES, being examined by the Committee, said, that about *May*, 1754, he bought a Horse of *William Moore*, Esq; for the Consideration of *Twelve Pounds*, was, by Agreement, to have a Year's Credit, and gave a Bond for the said Sum, payable in *May* following, without Interest. That in *August* next after the Agreement aforesaid, he was apprehended by *Benjamin Robinson*, with a Warrant at the Suit of *John Thomas*, for a Debt not exceeding *Five Pounds*, granted by *William Moore*, commanding the Constable to carry the Examinant before the said *William Moore*, and no other Justice, at which he expressed much Surprise to the said *Robinson*, as he well knew he did not owe a Farthing to any Man of that Name. That the next Morning he was carried by the said *Robinson* before the said *Moore*, who, as soon as he saw this Examinant, called him a damned Rascal, told him he was about to cheat him out of his Money, and that he would commit him for a Cheat. That the Examinant replied, he did not intend to cheat him, and would give him his *Clothes and Tools* as a Security, he being a Carpenter by Trade. That notwithstanding the Offer aforesaid, the said *Moore* told *Robinson*, the Constable, to keep him in Custody until *John Thomas*, the Plaintiff, could be had, for he was then very ill. That the Examinant then asked who the Plaintiff was, and whether he had left any Note or Account against him? declaring, at the same Time, that he owed no such Man a Farthing. That the said *Moore* answered, there was no Note or Account left with him, but would give him, the Examinant, no Satisfaction, or other Account of the Plaintiff. That hereupon the said *Moore*, took the Examinant into a Room, and told him that *there were some small Debts against him, which would ruin him;* but if he would give him three Notes, payable on Demand, for the Horse before sold, he, the said *Moore*, would stand his Friend, and put him, the Examinant, in a Way that nobody should hurt him. That the Examinant, being much terrified at the Threats of Commitment, and of being detained in Custody until the Plaintiff should appear, consented, and gave three Notes, payable to the said *Moore* on Demand, two of them for *Five Pounds* each, and one for *Forty Shillings*. That the said *Moore* immediately enclosed the said Notes in a Letter to

Isaac Davis, Esq; one of the Justices, &c. and commanded the said *Robinson* to keep the Examinant in *Custody*, by *Virtue of the said Warrant*, until he should carry the Examinant before the said *Davis*. That the said *Robinson* then demanded his Fees of the said *Moore*, who told him the Examinant must pay them. That he gave the said *Robinson* a Note for the Costs on the said fictitious Suit, which *Robinson* delivered to the said *Moore*, who afterwards received the same of *Abraham Williams*, on this Examinant's Account. That shortly after, the said *Robinson* carried the Examinant in *Custody* to Justice *Davis's*, and after a short Time the said *Robinson* again arrested him, at the Suit of said *Moore*, on one of the said Notes, and carried him into a Room before the said *Davis*, who produced to him his said three Notes, and read a Letter from said *Moore*, directing him to proceed on said Notes against the Examinant. That the Examinant then related the foregoing Facts to the said *Davis*, and complained of the ill Usage of the said *Moore*; but was told by the said *Davis*, that he was sorry for it, but could not help it. That the said *Davis* then gave Judgment against the Examinant, issued three Executions against his Body, by *Virtue* whereof he was sent to *Chester* Goal, where he remained three Weeks and three Days. And the Examinant further said, that at the Court following his Commitment, he offered to give said *Moore* sufficient Security, if he would wait until the Money was lawfully due, which he refused, but said he would give him a month. That afterwards he procured *Abraham Williams*, by promising to make him Satisfaction by *Servitude*, to become Security for him to the said *Moore*, for the Payment of the whole Money in one Month, *Ten Pounds* whereof the said *Williams* afterwards paid the said *Moore*, and likewise discharged all the Costs accrued on the said three Executions; and the Examinant repaid the said *Williams*, Part by Service and Part in Money; and the remaining *Forty Shillings* was allowed by the said *Moore*, for Work done before the Notes were given. That the Examinant hath never heard of the said *John Thomas* since, nor of any Claim any such Person had against him. That, to the best of his Remembrance, he declared the above Facts before the Governor and his Council, and was asked by one of the Council, if he had any Evidences? he replied, he had Evidences, but the Notice given him was too short to have them there: Then the said *Moore* was asked if he had any? who answered, that he had nothing but his Memorial, which he read. And that this, to the best of the

Examinant's Knowledge, was, in Substance, what passed relating to his Complaint before the Governor and Council.

BENJAMIN ROBINSON being examined, declared, that about August, 1754, a Warrant was delivered him, as a Deputy Constable, by *Daniel Goldsmith*, signed by *William Moore*, at the Suit of *John Thomas*, against *Edward Hughes*, upon which he arrested said *Hughes*, who told the Examinant that he owed no such Man a Farthing. That he afterwards carried the said *Hughes* before said *Moore*,—who, upon meeting them, was very angry with said *Hughes*, called him a Cheat; that *Hughes* answered, he had no Design to cheat him, and offered the said *Moore* his Clothes and Tools as a Security.—That he attempted to return his Warrant to said *Moore*, who told him he must keep the said *Hughes* in Custody by his Warrant until another Constable (he being a Deputy) should come and take Care of him until *John Thomas*, who was sick, should appear. That afterwards *Moore* and *Hughes* went into the House, and left him before the Door, and on their Return he understood from them that *Hughes* had given *Moore* three Notes, two for Five Pounds each, and one for Forty Shillings, in Discharge of a Bond which *Hughes* told him was not due. That *Moore* ordered him to keep *Hughes* in Custody, by Virtue of the said Warrant, and carry him before *Isaac Davis*, Esq; —That he did demand the Costs of serving the said Warrant of *Moore*, as no Plaintiff appeared, who said *Hughes* must pay them, and that *Hughes* gave his Note for them and other Costs due to the said *Robinson*. That the Examinant, according to *Moore's* Orders, did carry *Hughes* to said *Davis's*, and thinks he delivered the Warrant at the Suit of said *Thomas* to him. That while they were there, he received from said *Davis* another Warrant, at the Suit of the said *Moore*, against *Hughes*, with which he again arrested him, who thereupon confessed Judgments on the said three Notes, and said *Davis* immediately issued Executions against the Body of the said *Hughes*, by Virtue of which he carried said *Hughes* to the Goal at *Chester*. That he saw *Moore's* Son deliver to the said *Davis* a Letter, which he understood, and believes, was to desire *Davis* to proceed on said Notes, to give Judgement, and issue Executions thereon.—That he never heard of any one, by the Name of *John Thomas*, appearing on the said Suit since these Things happened.

HUMPHREY WAYNE, being examined, said, that about the Beginning of Harvest, in the Year 1754, the said *Moore* told him he wanted *Edward Hughes* to work for him, for that he

had sold him a Horse worth *Fifteen Pounds*, for *Twelve Pounds* only, and had given him twelve Months Credit for the Payment thereof.

CHRISTIAN EVERHART, being examined, said, that he was summoned before *William Moore*, Esq; to answer *Samuel Humphreys*. That he appeared at the Day, carried the Money, and paid it to *William Moore*, before any Judgment was given; that there were no Witnesses summoned, nor Qualifications administered, as he did not deny the Debt, and was ready to pay it on his Appearance; that he asked the said *Moore* what were his Fees, who answered *Three Shillings*, which he then paid, and also *five Shillings* to the Constable.

WILLIAM EVANS, being examined, declared, that he, being a Constable, summoned *Christian Everhart*, at the Suit of *Samuel Humphreys*, before *William Moore*, where the said *Everhart*, and *David Humphreys*, in Behalf of his said Son *Samuel*, appeared; that upon conversing together, *Everhart* told *Humphreys* that he could keep him out of his Money three Months, but rather than be at the Charge of a Judgment he would pay him, and that this was before they appeared before the said *Moore*; that then this Examinant went in and informed *Moore* that the Parties were at the Door; *Moore* then asked him why he did not call them in; he replied, that the Defendant had the Money, and was willing to pay it, and *David Humphreys* was ready to accept of it, in Behalf of the Plaintiff, his Son; that *Moore* replied, you Fool! you should not let the People make it up, that does not bring Grist, or Water, (he don't remember which) to our Mills; and told the Examinant to call them immediately, which he accordingly did. That *Moore* then asked *Everhart* if he had the Money, who replied, I don't know; *Moore* then asked if he had Bail, he replied, he believed so; that the said *Everhart* offered one *Christian Waganer* for Bail, into whose Circumstances *Moore* began to enquire, upon which *Waganer* persuaded the said *Everhart* to pay the Money, which he accordingly did in the Examinant's Presence; that no Bail was taken, the said *Waganer* refusing after the Enquiry aforesaid, to be Bail; that no Service was done by the Justice but the Issuing of the Warrant, to his Knowledge; that he gave on Oath this Account to the Governor and Council, as near in Substance as his Memory served him. That the said *Moore* produced his Docket to shew that Bail was entered, and that there was a Stay of Execution for three Months, and said he would prove the Examinant perjured.

Your Committee, to shew the Falsity of the said *Moore's*

Book, and in Support of the two foregoing Examinations, think it necessary to add the Affidavit of CHRISTIAN WAGANER, who being examined, said, that he was present when his Brother-in-Law, *Christian Everhart*, paid the Money due to *Samuel Humphreys*.—That the Fees charged by the said *Moore* was *Three Shillings*, and the Debt *Forty Shillings*. That he did not acknowledge to stand Bail in the said Suit, but resolved against it before he left Home, expecting that *Everhart* had sufficient to pay the Debt, and that he and this Examinant could make up the Costs.—And it further appears to your Committee, by a Receipt from *David Humphreys*, now in our Hands, that the Money was paid at the Time of their meeting before the said *Moore*, as also by the Examination of *Samuel Lightfoot*, Esq; to whom the said *Moore* hath confessed it since the Hearing aforesaid before the Governor and Council, and therefore there could be no Occasion for Bail.—The Service done by the said *Moore* then being no more than issuing his Warrant, for which, by the Table of Fees, he ought to take but *Nine-pence*; the taking *Three Shillings*, your Committee apprehends, is extortionate and unjust.

JAMES PUGH, being examined, said, that he bought for *Thomas Dalrymple* half a Gallon of Rum from *James Fullerton*; that some Time after he paid said *Fullerton* for the said Rum. That afterwards the said *Fullerton* sued the said *Dalrymple* before *William Moore*, Esq; That he, with the said *Dalrymple*, appeared before the said *Moore*, and made it appear that the Examinant had already paid the said *Fullerton* for the said Rum. That finding the Examinant's Allegations, in Behalf of the said *Dalrymple*, not regarded, to avoid future Trouble to the said *Dalrymple*, he paid for the said Rum a second time. That some Time after the said *Moore* issued his Warrant against the Examinant for the Costs accruing on the said Suit against *Dalrymple*, although he was not a Party thereto, nor concerned therein, nor ever assumed to pay the said Costs. That upon this Suit he was committed to the Goal of *Chester*, where he was confined till he paid the Sum of *Two Pounds* and *Six-pence* for the Costs aforesaid, and the Costs of the said Commitment. That after his Discharge from Goal he received another Precept from the said *Moore*, at the Suit of the said *Fullerton*. That when he appeared before the said *Moore*, he was informed the said *Fullerton* had proved an Account against the Examinant, amounting to *Two Shillings* and *Three-pence Halfpenny*, upon which he offered to make his Defence, as he had paid the said *Fullerton* all his Demands; but that the said *Moore* would

not admit him to say any Thing in his Defence, but ordered him to get out of the House, passed Judgment against him unheard, and issued Execution against the Examinant; upon which the Examinant was obliged to give his Note to the Constable for *Fifteen Shillings*, to prevent his going to Goal a second time.

THOMAS DALRYMPLE, being examined, said, that some Time ago he wanted some Rum; that his Father-in-Law, *James Pugh*, as it was for the Use of his, the said *Pugh's*, Daughter, offered to procure it for him, the Examinant, at the Store of *James Fullerton*, which he desired him to do, and to have the Price charged to him, the Examinant, for that he had no Money at that Time. That afterwards being summoned to appear before *William Moore*, at the Suit of the said *Fullerton*, the said *Pugh* accompanied him. That upon the Evidence of the said *Pugh*, the Account of the said *Fullerton* (he not being present) was proved to be paid; but that the said *Pugh*, in order to avoid any future Trouble from the said *Fullerton*, told the said *Moore* he would pay it again, and upon that delivered the said *Moore* a Bill, and that he saw other Money returned in Change.

WILLIAM BELL, being examined, said, that having heard that one *John Hambright* (to whom he was indebted a few Shillings) had left his Book of Accounts with *William Moore, Esq*; he immediately went to him, and tendered the Sum due, which the said *Moore* refused to receive, until he had paid him *Three Shillings* and *Six-pence*, which he alleged were the Costs on a Summons he had issued against the Examinant; that he never had a Summons served on him for that Money, and therefore he apprehended the said *Three Shillings* and *Six-pence* was illegally, extortionately, and, by Colour of his Office, exacted from him.

THOMAS ROBERTS, being examined, declared, that having heard a certain *John Hambright*, to whom he was indebted a few Shillings, had left his Book of Accounts in the Hands of *William Moore, Esq*; he immediately tendered the same to him, who refused to receive it, unless he would pay Milage, and other Costs, which he, the said *Moore*, alleged had accrued thereon, though no Precept was ever served on the Examinant. —But at last the said *Moore* received the said Debt, and obliged the Examinant to pay for a Summons, Serving and Judgment, though the Debt never was denied by him.

MORRIS EVANS, being examined, declared, that hearing that *John Hambright's* Book was lodged in the Hands of *William Moore*, and that he had sued a Number of People, and know-

ing that he was indebted to said *Hambricht Six Shillings and Four-pence*, he went to the said *Moore*, in order to pay the same, and prevent Costs, but that the said *Moore* refused to receive it without Costs, *viz.* *One Shilling* for proving the Book, *One Shilling* for Serving, *Two Shillings and Four-pence* for Milage, and *Nine-pence* for a Judgement, though the Debt was never denied, nor any Precept served, nor, to his Knowledge, made out; and that he did borrow Money to discharge the said Costs.

JOHN ERRIT also declared, that he was sued by *John Robinson*, for a Debt not exceeding *Five Pounds*, and gave a Freeholder Security to pay the Money in three Months before *William Moore*, Esq; and at the same Time paid, in the Presence of the said Freeholder, the Constable all his Fees. That, at the Expiration of the said three Months, the Examinant, with the said Freeholder, went to the said *Moore* to pay the Debt, but the said *Moore* obliged the Examinant to pay the Constable's Fees over again, although the said Freeholder averred they had been paid before to the Constable. That the said *Moore* said the Constable was a damned Rascal, and had no Business to receive it. That the Examinant then requested a Precept for the Constable to recover the said Costs again, not judging it reasonable he should pay it twice, but the said *Moore* refused to give him one.

WILLIAM EVANS, being examined, said, that, by Virtue of an Execution issued by *William Moore* against *Michael Nutt*, he took in Execution a Horse belonging to the said *Nutt*, published the Sale of the said Horse, at which *William Moore*, Esq; attended, called the Examinant aside, and ordered him, when he, the said *Moore*, should bid at the Horse, to strike him off to him; that, when the Horse was on Sale, some of the People desired the Privilege of riding him, to try his Gaits, which Request the said *Moore* forbid him to grant. That the Horse was, by this Means, sold for *Two Pounds Eleven Shillings*, though he was worth at the Time at least *Eight Pounds*.—That being but a young Constable, and said *Moore* a Magistrate, he did not think it right to disobey his Orders.

Thus far only your Committee have had Time to enquire into the fraudulent and extortionate Acts of *William Moore*, Esq; upwards of twenty Petitions and Complaints of the excessive Oppression of the said *Moore*, on the poorer Sort of People, remaining yet to be examined into. Many of the Witnesses are of known Credit, and as all of them stand fair and unimpeached in their Reputation, they could not fail of giving your Committee full Satisfaction as to the Guilt of

William Moore. By such unwarrantable Proceedings as these, we apprehend, though several of the Sums extorted are not large, yet as the poorer People are mostly affected by them, it must render their Lives miserable, their Poverty insupportable, and in the End their Families must become a Burden to the Public.

Your Committee beg Leave further to observe, that the late Acquittal of *William Moore* before the Governor and his Council not only appears to them highly partial and unjust, from the foregoing Examinations, but from the very Mode of the Enquiry. First, Your Committee find that the Witnesses examined were at Liberty either to qualify, or not, by which Means we do not understand that more than two were qualified. 2. That a Number of the Complaints laid before the Governor by the Assembly, even of those which related to the Conduct of the said *Moore* as a Magistrate, were not examined into, though the Governor, in his Acquittal, has endeavored to persuade the World, that all such as related to the public Conduct of the said *Moore* were with Patience and Attention heard, and the rest referred to the Courts of Law. 3. That as to several of those he did not enquire into, a Paper, drawn up by the said *Moore*, called his Memorial, supported only by his own Assertion, appears to your Committee to have been received as conclusive Evidence against what was then alleged in Support of the Charge, and the solemn Examinations of the late Assembly, then in the Governor's Possession. These being the true Circumstances of the late Hearing before the Governor, we cannot help expressing our Astonishment to find him, in his Acquittal of the said *Moore*, not only declare, "that the Petitions appeared to him to be entirely groundless, and that the said *Moore* had acted in his Office with great Care, Uprightness and Fidelity; but that he was so far from deserving Censure, that, in many Instances, he merited the Thanks of every good Man, and Lover of Justice."

Your Committee beg Leave further to add, that the Guilt of the said *Moore* appears very evident to them, from the foregoing Examinations; that he has arbitrarily deprived the Subject of his Liberty and Property by Virtue of his Power as a Justice of the Peace, and under Colour of his Office; that the said Hearing was instituted with a Design to support the said *Moore* in his Oppression, contrary to the earnest Remonstrance of the Representatives of the People, and to serve as a Cloak for maintaining an arbitrary Minister of Justice in his Acts of Tyranny: And that if the Complaints of

the Subject against the oppressive Measures of wicked Ministers are to be thus superficially enquired into, and passed over, and the solemn Examinations before the Representatives of the People rendered ineffectual, a Door for the most universal Oppression is open, and the Liberties and Properties of the People will not only be subject to the Will of every Chief Ruler of the Province, but to the arbitrary Inclination of each inferior Magistrate."

Ordered, That the foregoing Report of the Committee appointed to enquire into the Management of the late Hearing of *William Moore*, Esq; before the Governor and Council, be forthwith published in the *Pennsylvania Gazette*.

Whereas Information hath been made to this House, that a certain Person in the City of *Philadelphia* hath now in his Custody or Power sundry original Papers belonging to the Public, and in particular the original Draught of the City of *Philadelphia*, and sundry Papers thereto relating.

Ordered, That *Mr. Norris*, *Mr. Fox*, *Mr. Galloway* and *Mr. Roberdeau* be a Committee to procure the said Papers, and all others which are of a public Nature, and that they have Power and Authority to send for all such Persons, Papers, Ec. which they shall deem necessary for the Purpose.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

September 27, 1758.

Upon Motion for that Purpose.

Ordered, That *William Moore* and *William Smith*, formerly committed to the Custody of the Serjeant at Arms for a Breach of Privilege, be again apprehended.

Ordered, That *Mr. Roberdeau* and *Mr. Hunt* do join with the Deputy Secretary in comparing the engrossed Bill, to which the Governor hath given his Assent, with its Original.

The Members appointed to compare the said engrossed Bill with its Original, reported, they had done the same, and found them to agree.

A Message by Mr. Secretary:

S I R,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the Council Chamber immediately."

Ordered, That *Mr. Roberdeau* and *Mr. Hunt* do see the Great Seal affixed to the said Bill when passed into a Law, and the same deposited in the Rolls Office.

Mr. Speaker, with the whole House, then waited on the Governor; and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor with the

Bill, entitled, *An Act for the Continuance of an Act of Assembly of this Province, entitled, A supplementary Act to the Act, entitled, "An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution;"* to which his Honour had been pleased to give his Assent, by enacting the same into a Law.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 28, 1758.

The Members appointed to see the Great Seal affixed to the Law enacted Yesterday, and the said Law deposited in the Rolls Office, reported, they had seen the same done, according to Order.

Upon Motion,

Ordered, That Mr. Norris, Mr. Fox, Mr. Hughes and Mr. Masters be a Committee to bring in a Bill, in Addition to the Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*.

The Committee appointed to bring in a Bill, in Addition to the Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Half after Three o'Clock, P. M.

The Bill, in Addition to the Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, being read the second time, was ordered to be transcribed, which was done accordingly.

Resolved, That the said Bill do pass.

Ordered, That Mr. Ingham and Mr. Saunders wait on the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 29, 1758.

The Members appointed to wait on the Governor with the Bill, entitled, *An Act, in Addition to an Act, entitled, An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Governor returned the Bill sent up last Night, and acquainted the House, that he would attend them at Half an Hour after Twelve o'Clock, to enact the same into a Law.

A Message from the Governor:

S I R,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the Council Chamber immediately."

Ordered, That Mr. Fox and Mr. Roberdeau do see the Great Seal affixed to the Law when passed, and the same deposited in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor with the Act in Addition to an Act, entitled, *An Act for regulating the Hire of Carriages to be employed in his Majesty's Service*; to which his Honour had been pleased to give his Assent, by enacting the same into a Law.

Mr. Fox presented at the Table the Account of the *Province Island*, which was read, and referred to the Committee of Accounts.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 30, 1758.

The Members appointed to see the Great Seal affixed to the Law enacted Yesterday, and the said Law deposited in the Rolls Office, reported, the same had been done according to Order.

The Committee appointed to inspect the Provincial Commissioners Accounts of the Disposition of an *Hundred Thousand Pounds* granted last Year to the King's Use, delivered their Report thereon at the Table, which was read, and follows in these Words, *viz.*

WE the Committee appointed to audit and examine the Accounts of the Commissioners directed to dispose of the *Hundred Thousand Pounds* granted to the King's Use by an Act, entitled, *A Supplement to the Act, entitled, An Act for granting the Sum of Sixty Thousand Pounds to the King's Use, and for striking Fifty-five Thousand Pounds thereof in Bills of Credit, and to provide a Fund for sinking the same, and for granting to his Majesty the additional Sum of One Hundred Thousand Pounds*, report, that we have carefully examined the said Accounts, and do find, as well from the Commissioners Orders drawn on the Trustees of the General Loan Office, as from Accounts, Receipts, and other sufficient Vouch-

ers produced to us, that not only the whole Sum of *One Hundred Thousand Pounds* aforesaid (except *Eight Thousand Pounds* thereof, deposited in the Hands of Mr. Fox for erecting Barracks, not yet accounted for, as the Barracks are not compleated) has been carefully and frugally laid out for the King's Service, and to no other Use or Purpose whatsoever, but that some of those Gentlemen were upon that Act considerably in Advance for the Public.

And as your Committee have not at this Time an Opportunity of stating a particular Account, agreeable to the Usage of former Assemblies, we pray an Order may be given to the Trustees of the General Loan Office, that, from the Orders drawn by the said Commissioners, they make out an Account of the said *Hundred Thousand Pounds*, to whom paid, and to what Uses appropriated, as expressed in the abovementioned Orders, that the same may be published with the Votes of this House.

RICHARD PEARNE,

DANIEL ROBERDEAU,

JOHN MORTON,

ROGER HUNT,

THOMAS YORKE,

WILLIAM PLUMSTED."

Ordered, That the Trustees of the Loan-Office do prepare an Account of the said *One Hundred Thousand Pounds*, as expended by the said Commissioners, to be published with the Votes of this House, agreeable to the Desire of the Committee.

Resolved, That the Sum of *Sixty Pounds* be allowed to Joseph Fox, Esq; Barrack Master, in Consideration of his Care and Trouble in providing Necessaries for the Soldiers quartered last Winter in the Barracks near this City.

Ordered, That a Certificate be made out, and signed by the Speaker, to John Smith, Esq; of Cumberland County, for *Fifty-three Pounds Eighteen Shillings*, in full of his Account of Services to the Public in purchasing Provisions, &c. for the Use of General Braddock's Forces.

The Report of the Committee of Accounts being read, was approved of, allowed by the House, and is as follows, *viz.*

WE the COMMITTEE appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the General LOAN-OFFICE, and other Public Accounts, to sink and destroy all the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts, and to count all the Money, and report what Sum we should actually find in the Trustees Hands, REPORT,

THAT on the Twelfth Day of September we counted all the Money in the Hands of the Trustees of the Loan-Office, and found the Sum — — — — —

£20,778 10 2

That upon a strict Examination of all the Mortgage Deeds, (whereon any Quotas are due,) taken by Virtue of all the Acts of Assembly for emitting Bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums, or Quotas thereon, to become due and payable to the Trustees, the Sum of — — — — —

£32,207 5 0

And there are sundry Quotas now due, and remain yet unpaid on the several Acts, the Sum of — — — — —

22,377 13 4

And also, that there are several Quotas received into the Loan-Office, in order to be burnt and destroyed, according to the Direction of the said Acts. amounting to — — — — —

25,415 1 8

Which Sums make up the whole sum of

80,000 0 0

That the sundry Quotas received, as per Account above, amount to the Sum of

£25,415 1 8

And there remains yet to be collected, to complete the two sixth Parts of the whole Sum of £80,000 for the two first Years Sinking, the Sum of Which Sums make the Amount of two sixth Parts of the £80,000, — —

1,251 11 8

26,666 18 4

THAT the Trustees, on Account of Interest arising from all the Mortgages lent out in Pursuance of the several Acts of Assembly, are Charged with the Interest outstanding last Year —

£ 9,787 1 5

To the Interest arising on all the Mortgage Deeds the current Year, — — — — —

£2,058 6 10

To broken Interest received since last Settlement, — — — — —

1,207 13 1

To Interest received at Discharge, — — — — —

.37 14 1

3,303 14 0

To the broken Interest on the first £80,000, — — — — —

635 15 11

To the broken Interest on the first and second £30,000, — — — — —

15 10 5

13,722 1 9

Balance, — — — — —

9,579 12 8

£23,301 14 5

That the Trustees have Credit for Interest due to the Trustees, for Money overpaid, — — — — —

£11,638 8 10

By Interest outstanding on all the Mortgage Deeds, — — — — —

8,752 14 8

By an Error on Robert Armor's Mortgage, — — — — —

0 10 0

By Ditto in the outstanding Interest charged to the Trustees last Year, £8,905 10 6, and is but £8,805 10 6,

100 0 0

Also for sundry Sums paid them for Account of the Province, viz.

Indian Expences.

1757

Sept.

9. Paid John Guest, for Shoes for H. Montour's Children, — — — — —

£ 8 13 9

Dec.

7. Paid Rebecca Burchall, for Schooling Ditto, — — — — —

8 6 0

(Continued on following page)

April

1. Paid John Elliot, for a Coffin for
Jonathan Unity, an Indian Lad, 1 10 0

May

12. Paid William Bromwich, for a Pair
of Stays for Polly Montour, — — 1 8 0

June

2. Paid Dr. Charles Moore, for Medi-
cines and Attendance on H.
Montour's Children, — — — — 1 5 0
Paid for nursing H. Montour's
youngest Child, 11 10 6
17. Paid William Smith, for Shoes, — 1 5 6
Paid for Sundries for Montour's
three Children, per Account, — 14 14 3

State-House.

1757

Oct.

13. Paid Edmund Wol-
ley, — — — — £ 50 0 0

March

7. Paid Ditto, in full
of his Account
for Work done at
the State-House, 31 4 6
81 4 6

Oct.

26. Paid Samuel Kirke,
for Wood, — — 19 19 4
Paid Ditto, for
Ditto, *December*
19, — — — — 23 1 4
Paid David Ed-
wards, for Ditto,
April 10, — — 3 10 0
46 10 8
Paid Samuel Harding, at sundry
Times, as per Receipts, in full
for carved Work done at the
State House, viz.
Paid him, per Re-
ceipt, *December*
30, 1757, — — 10 0 0
Paid Ditto, *April*
5, 1778, — — — 10 0 0
Paid Ditto, *July*
24, — — — — 20 0 0
Paid Ditto, *August*
16, — — — — 5 0 0
Paid Ditto, *August*
23, in full, — — 15 0 0
60 0 0

1758

Feb.

15. Paid James Wor-
rall, for Work
done at the Rolls
Office, — — — 3 17 7
Paid Ditto, for
Sundries, Ditto, 0 13 3
4 10 10
Paid Hugh Roberts, in full for
sundry Ironmongery, &c. for the
State-House, — — — — 74 15 5

(Continued on following page)

1

General Account.

1757

Oct.

3. Paid John Clarkson, for Services, per Order, — — — — —	£	10	0	0
6. Paid Samuel Kirke, as Serjeant at Arms, per Order, — — — — —		8	0	0
Paid David Edwards, Door-Keeper, per Order, — — — — —		50	0	0
20. Paid Nicholas Scull, towards publishing his Map, per Order, — —		50	0	0
27. Paid Charles Moore, Clerk to the House, per Order, — — — — —		310	7	6
By Allowance for sinking £689 10 2, omitted last Year, — —		2	1	0
By Trustees Salary, — — — — —		500	0	0
By Cash paid Sundries, for Interest on sundry Provincial Notes, — — — — —		283	15	0
By Cash paid for sundry Provincial Notes, — — — — —		1,370	0	0
Principal, — — — — —		120	3	5
Interest, — — — — —				
Which Notes we the Committee have burnt, — — — — —				
			£23,301	14 5

WE do further report, that we have examined the Provincial Treasurer's Accounts, and find, That he Credits the Province, on Account of the new Excise,

By Cash received of Thomas Minshall, Collector for York County, — — — —	£	67	6	7
Ditto of Joseph Stretch, Collector for the City and County of Philadelphia, — —		2,058	3	8½
Ditto of James Webb, Collector for Lancaster, — — — — —		352	16	7
Ditto of John Jones, Collector for Northampton, — — — — —		103	17	3
Ditto of John Hughes, Collector for Berks, — — — — —		295	0	0
Ditto of Joseph Hamton, Collector for Bucks, — — — — —		238	14	3
Ditto of Nathaniel Wilson, Collector for Cumberland, — — — — —		10	0	0
Ditto of Charles Humphreys, Collector for Chtster, — — — — —		423	11	4½
		3,548	9	9
By Balance left in his Hands at last Settlement, to pay for Billetting Soldiers, — — — — —		622	1	3½
			£ 4,170	11 0½

That he Charges the Province with Sundries, viz.

To Cash paid the Provincial Commissioners the Commissions on £30,000, at One per Cent, — — — — —	£	300	0	0
To the Provincial Commissioners Orders to pay sundry Persons for Billetting Soldiers, — — — — —		980	1	10½
To Bills of Credit burnt by the Committee, as per Receipts, — — — — —		2,721	9	9
To his Commissions, on £3,379 18 8, at Five per Cent, — — — — —		168	19	5½
			£ 4,170	11 0½

THAT He Credits the Province, on Account of the old Excise,

By Cash received of Joseph Fox, Esq; as Trustee of the Province Island, ..	£	85	18	0
Ditto of Peter White, and John Bassonet, Sureties for John Hall, — — — — —		17	9	0
Ditto of Jeremiah Starr, late Collector for Chester, — — — — —		14	17	6
Ditto of Joseph Redman, for Balance, — — — — —		9	8	4
Ditto of Joseph Fox, Esq; on Account of the Province Island, — — — — —		98	6	0
			£	225 18 10

(Continued on following page)

That he Charges the Province with Bills of Credit burnt by the Committee, in Part of £341 5 2, the Balance of £1,000 remains to be sunk by the Act of Assembly, — — — — —

£ 214 13 0
11 5 10

To his Commissions, at Five per Cent, — — — — —

£ 225 18 10

THAT he Credits the Province, on Account of the Sixpenny Tax,

By Cash received of Frederick Galwick, Treasurer for York County, at different Times, — — — — —

£ 891 3 0

Ditto of John Byers, of Cumberland, said to be the Balance, but no Account settled, — — — — —

59 8 9

Ditto of Thomas Leech, Esq; for Outstandings collected since Settlement with the Commissioners and Assessors, — — — — —

17 2 0

Balance overpaid, carried to the Eighteen-penny Tax Account, — — — — —

498 17 10½

£ 966 11 7½

That he Charges the Province with Cash paid Charles Norris, per Receipts, —

561 15 6

To Cash paid the Provincial Commissioners their Commissions, at One per Cent, on £80,000, — — — — —

600 0 0

To his Commissions, at Ten Shillings per Cent, — — — — —

4 16 1½

£ 966 11 7½

THAT he Credits the Province, on Account of the Twelvepenny Tax,

By Cash received of Thomas Leech, Esq; sundry Times, in full, including a large Payment accounted for last Year, — — — — —

£ 4,096 15 1½

Ditto of Nicholas Scull, for Northampton, — — — — —

800 16 9

Ditto of Thomas Janney, Treasurer for Bucks, — — — — —

1,598 14 1

Ditto of Robert Miller, Treasurer for Chester, — — — — —

3,842 6 3½

Ditto of Jonas Seely, Treasurer for Berks, — — — — —

600 0 0

Ditto of Bernard Hubley, of Lancaster, in full, reckoning a large Payment included in his last Settlement with the Province, — — — — —

1,841 5 7½

Ditto of John Wagle, for Northampton, — — — — —

7 0 0

12,352 17 10½

Balance overpaid, carried to the Eighteenpenny Tax, — — — — —

235 19 11

£12,588 17 9½

That he Charges the Province with Cash paid the Trustees, at sundry Times, as per Charles Norris's Receipts, —

£11,054 16 3½

Paid Franklin and Hall, for Paper and Printing the £100,000 per Receipts, —

294 13 3

Paid Hugh Roberts, Treasurer for the Hospital, for signing £55,000, — —

198 0 0

Paid the Provincial Commissioners their Commissions, at One per Cent, on £100,000, — — — — —

1,000 0 0

Paid Thomas Leech, Esq; for repairing Stamps for Printing the £55,000, —

10 0 0

To his Commissions, at Five Shillings per Cent, — — — — —

81 8 3

£12,588 17 9½

THAT he Credits the Province, on Account of the Eighteenpenny Tax,

By Cash received of John Wagle, for Northampton, — — — — —	£ 718 11 8½	
Ditto of Thomas Janney, for Bucks, — — — — —	2,211 19 9	
Ditto of Bernard Hubley, for Lancaster, — — — — —	3,761 17 5½	
Ditto of Thomas Leech, Esq; for Philadelphia, — — — — —	6,007 12 2	
Ditto of William Delap, for York, — — — — —	590 13 3½	
Ditto of Robert Miller, for Chester, — — — — —	2,895 0 0	
Ditto of John Byers, for Cumberland, — — — — —	130 0 0	
		£16,310 14 4½

That he Charges the Province with Sundries, viz.

To Balance of the Sixpenny Tax, overpaid, £ 498 17 10½		
To Ditto of the Twelvenpenny Tax, overpaid, 235 19 11		
	£ 734 17 9½	
To Cash paid the Trustees, at sundry Times, as per Charles Norris's Receipts, — — — — —	15,584 0 11	
To his Commissions on two Thirds, at Five Shillings per Cent, £10,353 13 11½	25 17 10	
To Ditto on one Third, at Ten Shillings per Cent, — — — — —	5,171 6 11	
	25 17 10	
		£16,310 14 4½

THAT we have examined the Accounts of Joseph Redman, the former Collector for the County of Philadelphia, and find,

That he Credits the Province, with the Balance outstanding of the old Excise, — — — — —	£ 284 13 3	
That he Charges the Province with Cash paid the Treasurer, at twice, — — — — —	£ 82 8 4	
To his Commissions on £82 8 4, at Five per Cent, — — — — —	4 2 5	
To a List of outstanding Debts, — — — — —	198 2 6	
		£ 284 13 3

THAT we have examined the Accounts of Joseph Stretch, the present Collector for the County of Philadelphia, and find,

That he Credits the Province by Amount of Excise from July 1, 1757, to July 1, 1758, — — — — —	£ 2,208 11 2	
By sundry Retailers, per Year, — — — — —	188 17 8	
By one Moiety of Fines, — — — — —	4 0 6	
By Balance outstanding last Year, — — — — —	650 15 5	
		£ 3,052 4 9
That he Charges the Province to Cash paid the Treasurer, — — — — —	£ 2,058 3 8	
To Commissions, at Five per Cent, — — — — —	102 18 0	
Balance outstanding, — — — — —	891 3 1	
		£ 3,052 4 9

THAT we have examined the Accounts of James Webb, Collector for the County of Lancaster, and find,

That he Credits the Province by Amount of Excise from July 1, 1757, to July 1, 1758, — — — — —	£ 339 7 2	
By sundry Retailers and Tavernkeepers, — — — — —	87 0 0	
By Debts outstanding last Year, — — — — —	305 6 4	
		£ 731 13 6
That he Charges the Province, to Cash paid the Treasurer, — — — — —	£ 352 16 7	
To Commissions at Ten per Cent, — — — — —	35 5 7	
To Allowance made by the Committee, — — — — —	82 13 4	
Balance due to the Province, — — — — —	310 18 0	
		£ 731 13 6

THAT we have examined the Accounts of John Jones,
Collector for the County of Northampton, and find,

That he Credits the Province, by Amount of Excise from July 1, 1757, to July 1, 1758, — — — — —	£	98	1	0	
By sundry Retailers, per Annum, — —		44	10	10	
By outstanding last Year, — — — —		47	19	1	
					£ 190 10 11
That he Charges the Province, to Cash paid the Treasurer, — — — — —	£	115	17	8	
To Commissions, at Ten per Cent, — —		11	11	8	
Balance outstanding, — — — — —		63	2	0	
					£ 190 10 11

THAT we have examined the Accounts of Joseph Hamton,
Collector for the County of Bucks, and find,

That he Credits the Province by Amount of Excise from July 1, 1757, to July 1, 1758, — — — — —	£	261	0	6	
By sundry Retailers, — — — — —		12	7	6	
By outstanding last Year, — — — — —		17	18	8	
					£ 291 6 8
That he Charges the Province with Cash paid the Treasurer, — — — — —	£	238	14	3	
To Commissions, at Ten per Cent, — —		23	17	6	
Balance due to the Province, — —		28	14	11	
					£ 291 6 8

THAT we have examined the Accounts of John Hughes,
Collector for the County of Berks, and find,

That he Credits the Province by Amount of Excise from June 12, 1755, to June 12, 1756, when the Act expired, — — — — —	£	201	15	8	
By Balance of his Account, as settled by the Committee, September 20. 1755, — — — — —		141	13	4	
Balance due to John Hughes, — — — —		12	6	5	
					£ 355 15 5
That he Charges the Province to Cash paid the Treasurer, — — — — —	£	223	8	5	
To Commissions, Ten per Cent, — —		32	7	0	
					£ 355 15 5

THAT he Credits the Province by Amount
of Excise from October 1, 1756, when
the present Act commenced, to Au-
gust 13, 1757, — — — — —

That he Charges the Province to Cash paid the Treasurer, — — — — —		45	7	8	
To his Commissions, at Ten per cent, — — — —		4	10	9	
To allowance made by the Committee, — — — —		4	15	4	
To the Balance due to him in 1756, .. — — — —		12	6	5	
Balance due to the Province, — — — — —		216	0	7	
					£ 283 0 4

THAT he Credits the Province by Bal-
ance of last August, — — — — —

By Amount of Excise from August 12, 1757, to August 12, 1758, — — — — —		216	0	7	
		308	15	4	
					£ 519 15 11
That he Charges the Province to Cash paid the Treasurer, — — — — —		205	0	0	
To Commissions on the above Sum, at Ten per cent, — — — — —		20	10	0	
To Allowance made by the Committee, — — — —		13	16	4	
Balance due to the Province, — — — — —		181	9	7	
					£ 519 15 11

THAT we have examined the Accounts
of Charles Humphreys, Collector for
Chester County, and find that he
Credits the Province by Amount of
Excise from July 1, 1757, to July 1,
1758, — — — — —

By Balance of Account last year, — — — —		497	7	2	
		78	11	4	
					£ 575 18 6

Credits carried forward, — — — — —	£	575	18	6	
That he Charges the Province to Cash paid the Treasurer, — — — — —		422	11	4	
To Commissions at Ten per Cent, — — —		42	5	0	
To Commissions at Ten Per Cent, — — —		42	5	0	
To Allowance made by the Committee, — — —		3	0	2	
Balance due to the Province, — — — — —		108	2	0	
	£	575	18	6	

THAT Thomas Minshall, Collector for the County of York, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of

£	67	6	7
---	----	---	---

THAT Nathaniel Wilson, Collector for the County of Cumberland, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer, —

£	10	0	0
---	----	---	---

WE do further report, that the Provincial Treasurer has paid into the Hands of the Trustees of the General Loan-Office, as per Charles Norris's Receipts, viz.

Of the Sixpenny Tax, — — — — —	£	861	15	6
Of the Twelvepenny Tax, — — — — —		11,054	16	4
Of the Eighteenpenny Tax, — — — — —		15,524	0	11
		26,940	12	9

From which deduct the Allowance by Law, viz.

For paying out				
£53,000, at Five				
Shillings per 100l.	£	137	10	0
And for sinking				
£26,736, at Five				
Shillings per 100l.		66	17	0
		204	7	0

£26,736 5 9

Which Sum we the Committee have burnt.

THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the Loan-Office, in Exchange Money, the Sum of —

£	4,655	4	9
---	-------	---	---

Which Sum still remains in their Hands unexchanged.

AND lastly we report, that we have burnt the Sum of £1,650, Part of the Quota Money received in the Loan-Office, — — — — —

£	1,650	0	0
---	-------	---	---

WHICH leaves in the Hands of the Trustees Twenty-three Thousand Seven Hundred Sixty-five Pounds One Shilling and Eight-pence, in Gold, Silver, and the Currency of other Governments, to be burnt and destroyed, when exchanged.

We submit these Accounts, with the others, to the Observation and Correction of the House. Philadelphia, the 30th of September, 1758.

JOSEPH FOX,

JOHN BAYNTON,

DANIEL ROBERDEAU,

RICHARD PEARNE,

JOHN HUGHES,

JOHN MORTON."

The COMMISSIONERS appointed by Act of Assembly for disposing of the One Hundred Thousand Pounds for the King's Use, &c. for Cash paid Sundries, as by their Orders drawn on the Trustees of the General Loan-Office,

March 24, 1757.

Dr.

JAMES Young, advanced to him for paying off the Arrears of the Provincial Forces, — — £ 3,000 0 0

March 27, 1757.

Edward Croston, in Part of Account of Provisions for Provincial Forces,	350	0	0
---	-----	---	---

April 2, 1757.

William Buchanan, for Provisions, and Carriage of Ditto, for Ditto,	98	3	0
Adam Hoops, for Balance of his Account, ..	271	15	0
William Franklin, Balance of his Account, and for Postage of Public Letters,	37	8	5

April 4, 1757.

Hoops and Buchanan, their Account for Provisions for Provincial Forces,	4,012	6	11
---	-------	---	----

April 5, 1757.

Samuel Burge, for Edward Croston's Order on the Commissioners,	32	10	7
Hugh Mercer, on Boyle and Owen's Account, for Smith's Work,	15	1	8
Ditto, for Mr. Prentice's Account for Attendance on the Men wounded at Kittanning,	19	19	0
Adam Hoops, on Henry Crone's Account, for lodging a wounded Soldier,	4	5	0
Barnabas Hughes, for Provisions supplied Provincial Forces,	1,193	8	10½

April 6, 1757.

Samuel Mifflin, for his Disbursements for the Fort,	47	1	4
William West, an Order from Robert Calender, in full of his Account,	57	17	11
Hugh Mercer, on Doctor Thompson's Account for Medicines and Attendance, Diet and Lodging for a sick Soldier,	10	0	0

April 8, 1757.

William Clapham, in full of Pay, &c. settled by the late Commissioners,	357	14	0
David Jamison, per William Nicholson, his Account for Medicines and Attendance on sick and wounded Soldiers at Fort Littleton, as settled by the late Commissioners,	20	0	0

April 9, 1757.

William Leech, Amount of his Account for Painting at the Fort,	11	13	2
Lewis Ourry, for Discharge of the Quarters of sundry Officers,	246	9	0

James Young towards paying off the Provincial Forces,	500	0	0
---	-----	---	---

April 11, 1757.

Patrick Work, per John Biddle, his Disbursements at Fort Halifax, and dieting Recruits,	10	0	4
---	----	---	---

Levy Trump, per Ditto, for Dieting, &c. and Recruits for Col. Clapham's Regiment,	31	16	10
--	----	----	----

April 12,

Thomas Janvier, his Account of Smith's Work for the Province,	39	16	0
---	----	----	---

Benjamin Loxley, in Part of his Account, ..	100	0	0
---	-----	---	---

April 13,

Alexander Hill, per Mifflin and Saunders, for shipping Arms and Ammunition from Boston,	2	1	1½
---	---	---	----

Robert Armor, for Carriage of Sundries to Harris's Ferry,	3	12	6
---	---	----	---

John Wistar, in Part of Capt. Busse's Company, by Order,	103	4	0
--	-----	---	---

April 15,

James Young, towards paying off Provincial Forces at Fort Augusta, &c.	10,000	0	0
---	--------	---	---

George Gabriel, as a Guide to the Battoes, and enlisting Seventy-two Men,	50	0	0
---	----	---	---

James Baskins, per John Galliher, for 1762 Feet of Boards, delivered at Fort Halifax,	6	12	2
---	---	----	---

George Allen, as a Guide to the Battoes,	28	1	6
---	----	---	---

April 16,

William West, for Capt. Ward's Account of Recruiting Expences,	25	12	0
--	----	----	---

Pawlet and Deshler, for Provisions supplied the Forces at Forts Allen, Norris and Hamilton,	807	4	11½
---	-----	---	-----

April 18,

Edward Croston, his Account of Supplies for Provincial Forces,	1,743	18	3½
--	-------	----	----

April 19,

Alexander Lowry, for twelve Horses and seven Pack Saddles, delivered Edward Croston,	82	0	0
--	----	---	---

April 20, 1757.

William Hill, for Storage for the Provisions, to April 11, 1757,	22 17 0
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April 22,

Thomas Jarvis, for riding Express, Pasturage of Indians Horses, &c.	24 12 0
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John Jones, per Thomas Jarvis, for Services to the Province, as a Driver of Horses, ..	16 4 0
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Issachar Davids, for going Express to Easton and Mr. Welser's, with Dispatches from the Governor,	7 0 0
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Peter Bard, for Services, and Disbursements for the Province, to April 4, 1757,	182 1 2
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John Carson, for Pasturage of Officers Horses, and Blankets delivered John Mears,	9 10 0
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Samuel Simpson, per John Simpson, for shoe- ing Horses for the Province,	2 10 0
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Joseph Way, for Horses billeted on him, and for Entertainment of Indians,	16 6 3½
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April 23,

William Clapham, for Horse-hire for Express to Reading, Carlisle and Fort Augusta, ..	5 12 2
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Ditto, in full of his Account of Pay, and Dis- bursements for the Provincial Forces,	99 9 5
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April 25,

George Stephenson, per Richard Peters, Bal- ance of his Account, settled by the late Commissioners,	23 17 0
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April 29,

Samuel Robeson, for Flour, and for Horses supplied Col. Clapham's Regiment,	24 5 4
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Hieronimus Taxler, for Pay as a Soldier, and Smith's Work to the Province Arms,	14 0 0
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John Carson, for Horses supplied the pro- vincial Forces,	34 0 0
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Robert Erwin, for Hire of his Team in the Province Service,	180 4 6
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Moses Standley, for ten Barrels of Gun- powder, delivered Commissary Bard,	100 0 0
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April 30,

James Young, per P. Bard, towards paying off the Provincial Forces,	3,000 0 0
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Joseph Wharton, for House-rent for Col. Dun- bar's Soldiers, and French Neutrals,	78 10 0
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Samuel Wharton, for Gunpowder for the Province Use,	232	10	0
<i>May 1, 1757.</i>			
Samuel Smith, for Sundries delivered Mr. Fox, for Ditto,	7	4	0
<i>May 3,</i>			
Thomas M'Kea, for his Disbursements for Indians, and ten Horses purchased for Ditto,	91	14	0
<i>May 4,</i>			
Jacob Duché, for House-rent for the wounded Soldiers of General Braddock's Army,	15	0	0
<i>May 6,</i>			
Charles Jenkins, for stabling a Horse belonging to the Province,	7	2	6
Thomas Clifford, for Sundries delivered Mr. Fox, for the Use of the Province,	21	17	9
Thomas Robinson, for Flour supplied Col. Clapham's Regiment, and for a black Mare, Alexander Mehart, and Caspar Eberhart, £5 each, per Benjamin Wallace, for a sorrel Horse and a bay Mare, for the Use of the Province,	59	19	1½
Benjamin Wallace, for six Horses, Ditto, ..	10	0	0
James Lowry, for four Horses, Ditto,	63	0	0
Edward Croston, per George Gillaspay, towards purchasing Flour for Fort Augusta,	23	14	0
George Gillaspay, for Pasturage, and for a Horse in the Province Service,	300	0	0
James Cook, for eight Horses, Ditto,	20	4	6
David Edwards, for Sundries supplied the Indians, and Attendance,	44	10	0
	93	8	9
<i>May 7,</i>			
Richard Peters, for the Governor's Expences on a Treaty with the Indians at Lancaster,	100	0	0
Jacob Shoemaker, for Sundries supplied the Soldiers quartered in the City,	3	16	0
Charles Moore, for defraying Indian Expences,	2,000	0	0
<i>May 10,</i>			
John Head, for Sundries delivered Joseph Fox, for the Use of the Province	31	10	4
George Wescott, for six Copper Kettles, delivered Ditto, for Ditto,	5	12	0

May 13, 1757.

Matthias Aspden, for Sundries supplied, delivered Ditto, for Ditto,	48 0 0
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May 14,

William Parker, for bringing down Francis English, a Prisoner, from Carlisle,	6 2 6
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May 18,

Anna Teaff, per Alexander Stedman, for Board and Disbursements for Capt. Newcastle's Niece,	16 4 0
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James Young, to pay off the first Battalion of the Provincial Forces,	7,000 0 0
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May 21,

Townsend White, in full of his Account, examined by the late Commissioners,	10 10 0
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May 23,

George Gibson, for Entertainment of the Governor, his Council, and the Provincial Commissioners, on a Treaty with the Indians, ..	136 12 5
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May 24,

Samuel Neave, for Blanketing delivered John Hughes, for the Use of the Province,	20 0 0
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Joseph Fox, Esq; for James Armstrong's Account of Sundries, for Ditto,	23 0 11
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John Carson, for Thomas Forster, and Francis Ellis's Account of Horses, for Ditto,	14 0 0
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Hugh Swan, for sundry Persons Accounts of Horses, for Ditto,	36 12 0
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Ditto, for Capt. Young's Draft on the Commissioners in his Favour,	40 0 0
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May 25,

Reuben Forster, for three Pair of Wheels for the large Cannon,	9 7 6
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William West, for Goods supplied Joseph Fox, for the Use of the Province,	40 0 0
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Ditto, for Capt. Young's Draft in Favour of W. Buchanan, assigned to W. W.	390 0 0
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William Standley, for Earthen Ware, for the Use of the Province,	7 5 4
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William Allen, Esq; for Money advanced by him to Capt. George Armstrong,	25 2 6
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Morris and Jones, for Beer supplied the Soldiery,	12 17 6
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Plunket Fleeson, for Bedding supplied the Indians and Soldiers, at the Hospital and Barracks,	381	16	8
John Rowan, for Beer supplied the Soldiery,	50	13	6
<i>May 26, 1757.</i>			
John Guy, for hauling Sundries from the Barracks, and Centry-boxes,	4	0	0
<i>May 27,</i>			
Joseph Pugh, Sheriff of Lancaster, Expences in bringing 23 Indians from Lancaster, ..	16	13	0
Samuel Campbell, for Hire of a Horse, and the Appraisement of a black Mare, entered into the Province Service,	16	4	0
John Morgan, Surgeon to the First Battalion of the Provincial Forces, from the 28th of April, 1756, to the 27th of May, 1757,	147	15	0
Jacob Awl, in full of his own, and Thomas Carter's, Account of Horses in the Province Service, and for John Kerr's Account of Smith's Work,	10	12	0
William Kelso, in full of his own, Alexander Morrow's, and William Ellis's, Accounts of Horses in the Province Service,	38	10	0
Thomas M'Cleud, for Hire of a roan Mare, ..	5	4	0
William Branson, House-rent for Part of the Soldiers quartered in the City, &c.	26	2	6
David Chambers, for Ditto,	13	0	0
<i>May 28,</i>			
Jonas Seely, in full of his Account, allowed by the Commissioners February 26, 1757, and one this Day delivered, for victualling Capt. Morgan's Company to the 31st of May, 1757,	327	0	11
John Hambright, for Recruiting Service,	40	0	0
<i>May 30,</i>			
John Hughes, Esq; his Advance for Payment of Samuel Dupui's Account against the Province,	78	9	9
Messieurs Warder and West, for Goods for the Indian Treaty at Lancaster,	1,497	3	4
<i>May 31,</i>			
Charles Richardson, for Cartage of Stores to Fort Hunter, for the Use of the First Regiment of Foot in the Pay of the Province,	7	5	0

Jacob Hiltzheimer, for going Express to the Governor at Lancaster, with Letters from the Honourable Secretary Pitt, by Order of the Council,	3	10	0
Joseph Howard, for two Horses belonging to himself, and one of James Work's, in the Province Service,	20	2	0
Thomas Mitchell, for six Horses and a Mare in the Province Service,	50	0	0

June 1, 1757

William M'Knight, for two Horses, Ditto, ..	9	0	0
Edward Morton, for a Horse and a Mare, Ditto,	14	0	0
Michael Whitley, for sundry Accounts of Horses for Ditto,	24	0	0
Col. Conrad Weiser, sundry Accounts for victualling said Weiser's and Capt. Buffe's Companies,	250	0	0
Thomas Chambers, for two Horses and a Mare in the Province Service,	19	0	0
William Chesney, for ten Horses Ditto, and 2,000 Feet of Plank for Fort Hunter,	87	0	0
Rebecca Armstrong, per Samuel Hunter, for a roan Mare entered in the Province Service,	7	0	0
Samuel Hunter, for keeping four Horses Ditto, and dieting 160 Indians one Day, on their Way to Lancaster,	8	0	0
Jacob Awl, for Samuel Steel's Account, shoeing thirty Horses in the Province Service, .	3	0	0

June 2,

Richard Footman, and Company, for three Pieces of red Stroud, delivered Joseph Fox, Esq; for the Use of the Province,	24	0	11
Joseph Hillborn, for 1,003 Ells of Oznabrigs, and 2 lb. of Thread, bought by B. F. Esq; for Ditto,	75	13	6

June 3,

Peter Dicks, for 4 T. 9 C. 1 Q. 25 lb. Bar Iron, delivered Thomas Janvier, per Order of the Commissioners, for the Use of the Province,	102	17	11
John Hambright, for Recruiting Service,	80	0	0
David Edwards, his Account of Disburse-			

ments for Indians in Return Home from the Lancaster Treaty,	6 9 11
Col. Conrad Weiser, per his Son Frederick, sundry Accounts for victualling Part of the Provincial Forces,	208 7 0
Hannah Boyd, for Board of H. Montour's Children, and Jagrea's Expences,	26 18 0

June 4, 1757

Musgrave Evans, for repickling Beef and Pork, and for 18 Bushels of Salt,	17 14 0
Jeremiah Warder, for sundry Goods for the Use of the Indians,	290 10 0
Hermanus Alricks, for 2 C. 3. Q. 15 lb. Lead, delivered to George Croghan, at Carlisle, .	7 18 10

June 7,

Theophilus Hartman, for two Days Hire of his Waggon and Horses, for transporting Indians,	1 10 0
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June 8,

William Edmonds, for the Brethren's Disbursements for Indians,	193 9 6
George Gabriel, for Services as a Battoe-man, and the Enlistment of Men,	27 17 6

June 9,

Evan Morgan, his Disbursements for the Province, in full of his Account,	9 2 9
David Franks, for Goods for the Cherokee Indians, and Sundries for the sick and other Indians, including George Croghan's Account,	160 18 11
John Baynton, to discharge the several Debts contracted for mounting Cannon,	500 0 0

June 10,

John Galbreath, per his Wife, for four Horses in the Province Service,	24 8 0
Andrew Willong, for one Horse, Ditto,	3 16 0
James Young, towards paying the Battoe-men, and Arrears of Provincial Forces,	500 0 0

June 14,

William Shippen, for Medicines for the Provincial Forces,	10 12 6
Joseph Pugh, paid Thomas James an Error in said Pugh's Account,	6 0 0
Patrick Davis, for Recruiting Service,	25 0 0

Joseph Davis, for Belts, Frogs and Cartouch-boxes,	13	5	0
<i>June 17, 1757</i>			
Patrick Work, for Recruiting Service,	25	0	0
<i>June 22,</i>			
David Edwards, for his Attendance on the Commissioners,	7	14	0
<i>June 24,</i>			
James Young, towards paying off the Forces under Col. Armstrong,	2,000	0	0
<i>June 30,</i>			
William Clapham, for Support of Indian Ogaghradarisha's Son, who he has delivered up to the Care of this Government,	24	5	0
<i>July 1,</i>			
William Miller, for three Mares and one Horse in the Province Service,	27	8	0
<i>July 4,</i>			
William Cooper, for Cart-boxes for the Cannon,	5	15	4
<i>July 5,</i>			
Jesse Maris and John Cameron, for French Neutrals in Springfield Township,	17	18	3
John Ross, for Support of 43 Indians at Conestogoe Manor,	68	5	4
David Jamison, for Recruiting Service,	75	0	0
John Croker, for Carpenter's Work done at Fort Hunter,	40	10	0
William Lewis, for French Neutrals,	16	13	10
<i>July 6,</i>			
Joseph Shippen, junior, for Recruiting Service,	50	0	0
Joseph Marriot and Richard Parker, for French Neutrals in Philadelphia,	30	5	9
Ditto, their Account, and former Overseers Account,	70	17	2
<i>July 8,</i>			
Anthony Benezet, Ditto,	16	4	1
<i>July 9,</i>			
Frederick Yaisser, for Support of Indians left at Lancaster after the Treaty,	30	10	5
John Reily, for French Neutrals,	29	6	2

John Lownes, for Ditto, in full of David Cowpland's Account,	25 12 5
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July 11, 1757

William West, Esq; for John Smith's Account of 1,000 Wt. of Lead, and Carriage, supplied Col. Armstrong,	27 7 6
Ditto, for Ditto's Account of Disbursements building a Fort at Carlisle,	32 6 3
Ditto, for Adam Hoops Account of Provisions supplied the Western Battalion,	181 16 8½
Adam Hoops, for Provisions supplied a De- tachment to range about Ray's-Town,	126 9 9
Joseph Fox, Esq; for purchasing and fitting out the Ship Celebre, for the Use of the Province,	3,700 0 0

July 12,

Adam Terence, for Smith's Work for Capt. Patterson's Company,	2 19 4
Joseph Smith, per Ditto, for attending sick Indians, and escorting others to Harris's Ferry,	3 3 0
John Little, per Ditto, for five Coffins for In- dians, who died at Lancaster,	3 15 0
William Nicholson, for keeping Indians Horses, employed in the Province,	19 12 0
Adam Terence, for Disbursements at Lan- caster for Indians, and for two Horses, ..	29 9 0
Philip Doyle, for Entertainment of Indians at Ditto, and for some of the Provincial Forces,	44 0 0

July 13,

Edward Croston, by the Hands of John Hughes, as per Order,	1,500 0 0
Rees Meredith, for the Stewards of Beth- lehem Account for Indians,	90 0 0

July 14,

Richard Peters, Esq; for the Governor's Ex- pences to Easton,	100 0 0
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July 15,

Thomas Apty, for going Express to Colonel Weiser, by Order of the Governor,	4 0 0
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July 16,

James Coultas, Esq; for apprehending five	
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French Neutrals attempting to escape from this Government,	3	10	0
Lynford Lardner, Esq; what he advanced to Capt. Davis,	13	0	0
George Croghan, for Expences for Mohawk and Cherokee Indians,	78	7	6
<i>July 17, 1757</i>			
James Young, towards paying Provincial Forces,	560	0	0
Charles Moore, for Expences of the Treaty at Easton,	1,500	0	0
<i>July 26,</i>			
William West, Esq; to be laid out in Goods, chosen by said West and Mr. George Croghan, for a Present to the Cherokee Indians at Fort Loudoun,	400	0	0
John Baynton, Esq; towards fitting out the Pennsylvania Frigate,	500	0	0
<i>August 1,</i>			
Ditto, for Ditto,	1,000	0	0
<i>August 11,</i>			
John Larkin, sundry Accounts for Support of French Neutrals,	16	14	7
<i>August 12,</i>			
Elizabeth Gray, for Expences of Indians from Bethlehem, on a Message to the Governor,	4	17	10
Paul Pierce, per John Welch, Account of Waggonage,	5	5	0
William Nicholson, Ditto, to Easton,	6	0	0
Jacob Hiltzheimer, Ditto,	6	15	0
John Welch, for Entertainment of Cherokee Indians at Carlisle,	25	1	0
Attwood Shute, for a Ton of Bar Iron, delivered Col. William Clapham, by William Chesney, for the Use of Fort Augusta,	28	0	0
Robert Armstrong, for Sundries for the Use of the Province,	32	14	3
Robert Erwin, for Waggonage, and two Horses lost, &c.	48	11	0
William Rush, for 4,000 Crowfeet, for the Use of the Province,	50	0	0
<i>August 16,</i>			
Charles Norris, his Disbursements to Benjamin Franklin and Joseph Fox, Esquires,			

and for sundry Overseers of the Poor, for Support of French Neutrals,	699 19 11½
John Baynton, Esq; towards fitting out the Pennsylvania Frigate,	1,000 0 0
Thomas M'Kea, for his Disbursements for sundry Indians,	76 11 9
Thomas Lloyd, for Recruiting Service,	60 0 0
Ditto, Balance of his Account for Recruiting the Augusta Regiment,	83 0 6
Ditto, his Advance to sundry Officers in the Recruiting Service,	125 0 0

August 17, 1757

Joseph Morris, for one Ton of Bar Lead, for the Use of the Province,	41 0 0
George Croghan, Esq; what he paid William Sam, an Indian, Express to Diahoga,	22 10 0

August 19,

William West, Esq; for Sundries supplied for the Treaty at Easton,	129 10 9
Ditto, for Barnabas Hughes's Account of Provisions supplied the Fort at Swatara, .	247 14 10
Rees Meredith, for George Clouse's Account of Sundries supplied the Indians at Bethlehem,	7 9 4

August 22,

John Baynton, Esq; for defraying the Charges of the Pennsylvania Frigate,	1,000 0 0
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August 23,

Frederick Smith, for Disbursements for the Fort at Swatara,	60 2 0
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August 25,

Robert Thompson, for Medicines and Attendance of wounded Indians, and some in the Smallpox at Lancaster,	74 4 2
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August 26,

Andrew Stein, per John Carson, for 26 days Hire of a Horse in the Province Service, .	2 12 0
William Fishbourn, for sundry Accounts of Disbursements for French Neutrals,	20 11 2
Deshler and Pawlet, for Provisions supplied Provincial Forces and Indians,	996 9 11
James Scott, per Nathaniel Grubb, for French Neutrals,	14 9 1

John Trapnall, per Alexander Stedman, for James Young's Draft in his Favour,	26	0	0
James Ennis, for going Express to sundry Places,	31	5	0
James Young, towards paying off the Provincial Forces,	1,000	0	0
Meyer Hart, for his own and Henry Young's Account,	17	18	11
Wolfgang Hawka, for Smith's Work to the Province Arms,	33	9	11
John Hayes, for Entertainment of Provincial Soldiers and Indians,	39	6	5
Jacob Orndt, for Disbursements for Indians, &c. and for Recruiting Service,	121	12	3
<i>August 30, 1757</i>			
James Hughes, for Recruiting Service,	25	0	0
William Nicholson, for Lewis Montour's and Adam Terence's Expences,	9	8	0
John Baynton, Esq; fitting out the Pennsylvania Frigate,	500	0	0
<i>September 1,</i>			
John Smith, for Sundries delivered George Croghan, Esq; for the Cherokees,	11	18	8
<i>September 2,</i>			
Jacob Brewbacker, per Barnard Hubley, for Sundries for Indians at Lancaster,	1	2	9
John Brewbacker, per Ditto, for Ditto,	1	5	11
Richard Peters, Esq; for Wampum for Indian Treaties, and Expences Ditto,	189	9	3
<i>September 3,</i>			
Nicholas Scull, for Subsistence for Provincials and Indians during the Treaty,	46	15	3
William Edmonds, for the Brethren's Account of Disbursements for Indians, &c.	304	1	10
John Jones, for Disbursements, &c. for William Tittamy, who died in his House,	8	10	9
Samuel Dupui, for dieting Soldiers of Captains Wetterholt's and Reynolds's Companies,	45	4	11
James Hyndshaw, for Recruiting Service, ..	101	5	0
John Baynton, Esq; fitting out the Pennsylvania Frigate,	250	0	0

September 5,

King Teedyuscung, as a Messenger to the

Ohio Indians, £10, and to Samuel Evans, his Interpreter, £4,	14	0	0
<i>September 6, 1757</i>			
John M'Farland, for repairing Province Arms, &c.,	8	19	4
Thomas Butler, per Francis West, for Ditto,	15	5	2
John Fricker, for Sundries supplied Indians at Easton,	21	12	0
Joseph Armstrong, for keeping a Guard in Cumberland County, settled by the late Commissioners,	74	16	0
Adam Read, for victualling 41 Men, enlisted in the Province Service,	126	0	0
Adam Hoops, for Provisions, &c. supplied sundry Forts,	420	16	2
<i>September 9,</i>			
John Boyle, for three Horses entered in the Province Service,	18	0	0
John Baynton, Esq; for fitting out the Penn- sylvania Frigate,	250	0	0
David Edwards, for Disbursements for In- dians, Expences in cleaning the Guard- house, taking Care of Soldiers Blankets, .	29	5	1
Caleb Evans, per George Mifflin, for his Order drawn on the Commissioners, in Part of Work done to Gun Carriages,	50	0	0
James Young, for paying the Provincial Forces and Battoe-men,	7,600	0	0
<i>September 13,</i>			
David Evans, for French Neutrals,	3	0	0
Hannah Boyd, for Entertainment of J. Pump- shire, and other Indians,	10	18	9
<i>September 15,</i>			
Joseph Fox, Esq; for erecting Barracks for quartering his Majesty's Forces,	8,000	0	0
<i>September 17,</i>			
Robert Thomas, for French Neutrals,	4	10	7
<i>September 21,</i>			
Robert Lloyd, Balance of his Account of Waggonage to Easton, with the Governor's Baggage,	1	10	0
William Crabb, for French Neutrals,	1	10	1
Jacob Wetterholt, for enlisting 53 Men in the Province Service,	88	6	6

Jonas Seely, for victualling Soldiers at Fort William,	200	4	2½
Thomas Janvier, for Smith's Work for the Carriages, &c.,	295	19	4
Conrad Weiser, Balance of his Account, and the Account of Samuel Weiser, for recruiting, and of Peter and Frederick Weiser, for victualling Provincial Forces,	629	7	2

September 22, 1757

Ann Eggerton, for Nursing and Board of an Indian Boy in the Small-pox,	5	11	0
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September 23,

James Read, Esq; for supporting a Watch at Reading, and Expresses to Carlisle, &c. ...	10	1	6
Edward Croston, for victualling the Shamokin Regiment,	2,500	0	0
Joseph Davis, for Ammunition Chests, &c., ..	22	7	6
Richard Parker, for Sundries done, in Copper and Lead, to the fifteen Cannon in the Statehouse Yard,	35	5	1
Joseph Simons, per D. Franks, for Sundries delivered Adam Terence for Indians at Lancaster,	7	18	4
James Ennis, Express to Carlisle,	6	0	0
William Masters, Esq; for 20 Barrels of Gunpowder for the Pennsylvania Frigate,	200	0	0
John Hughes, Esq; on Account of Capt. John Van Etten,	200	0	0
Benjamin Armitage, for Smith's Work for two Ammunition Carts,	13	13	11
Samuel Brown, for Provisions, &c. supplied the Indians,	9	19	1

October 1,

John Caldwell, for French Neutrals at Springfield,	1	19	10
Job Dicks, for Ditto,	4	18	7
Joseph Phipps, for Ditto, Abington,	13	18	0

October 3,

Hugh Roberts, for Smith's Tools, and two Casks of Nails, for Fort Augusta,	32	8	2
Thomas Jarvis, for Express to Annapolis and New-York,	13	10	0

October 4, 1757

Moses Rambo, for French Neutrals at Kingsess,	2	13	3
David Gibson, for Ditto,	7	17	0
John Dedier, for Ditto, at Germantown, ...	8	9	1

October 6,

Thomas Apty, for going Express to Carlisle with Dispatches for Col. Stanwix,	6	0	0
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October 7,

George Garrett, for supplying French Neutrals,	2	14	5
John Roberts, for French Neutrals, Lower Merion,	3	0	11
James Coultas, Esq; for Straw, Wood, &c. supplied the Royal Americans,	5	0	3
John Welch, for James Young's Order in Favour of said Welch,	100	0	0
John Van Etten, for his Account of Dieting and Liquors supplied Provincial Forces, ..	174	12	3
William Griffiths, Disbursements for French Neutrals,	248	19	9
Jeremiah Warder, for Goods supplied for the Indians at Easton,	141	6	8

October 8,

George Ross, for supplying Indians with Sundries at Lancaster,	6	5	0
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October 10,

Thomas Lloyd, for Recruiting Service,	178	16	6
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October 11,

Adam Miller, for French Neutrals at Cheltenham,	7	12	5
William Henry, for Sundries for the Use of Fort Augusta,	7	12	5
William Thompson, per William Henry, for Capt. Young's Draft on the Commissioners, ..	100	0	0
James Young, for paying off Col. Weiser's Battalion, &c.,	5,500	0	0

October 12,

Dr. Thomas Graeme, for Medicines and Attendance on sundry Indians,	54	13	0
William Leech, for Painting done to the Cannon, Carriages, &c. &c.,	45	16	3

October 14, 1757

Conrad Becker, for French Neutrals in the Northern Liberties,	13	7	0
Jacob Levan, for Provisions supplied Part of Col. Weiser's Battalion,	342	6	8
William Thompson, per Hugh Mercer, for recruiting 50 Men for Col. Armstrong's Company,	9	7	8
John Armstrong, per Ditto, for recruiting his Battalion,	450	10	0
William Linvill and John Moore, for French Neutrals,	14	12	4½
Jeremiah Warder, for Duffils for the Augusta Regiment,	200	0	0

October 15,

Doctor Thomas Bond, for Medicines and Attendance on French Neutrals,	62	8	2
Elias Rambo, for French Neutrals,	2	3	7

October 17,

William West, for Martin Lauman's Account of Bread supplied Indians,	4	10	0
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October 18,

Thomas Temple, for French Neutrals in Kennet Township,	6	0	11
John Zell, for Ditto, in Blockley,	6	1	9½
John Thomas, for Ditto, in Ditto,	7	4	5
Jacob Shoemaker, for burying a Number of French Neutrals,	19	9	0
John Owen, per H. Mercer, sundry Accounts for repairing Provincial Arms,	38	19	5½
Samuel Dupui, on Account of Provisions to be supplied a Company of Provincial Troops,	100	0	0

October 21,

John Gray, per Richard Walker, for Services done, and in full of his Pay as a Volunteer, on the Kittanning Expedition,	5	0	0
Benjamin Lievezey, for French Neutrals in Lower Dublin,	8	6	6
James Wright, for John Reeker's Account of Sundries for Indians in Small pox, &c., ..	9	5	11
Samuel Hunter, for Entertainment of Indians going from Lancaster to Fort Augusta, ...	21	2	9

David Franks, for Storage of the Province Provisions,	21	5	0
Joseph Marriot, Disbursements for French Neutrals,	84	14	0
Thomas Lloyd, for his Advance to Lieutenant Clark, for Recruiting Service,	85	1	0
Benjamin Loxley, for Work and Materials at Wicacoa Fort, &c.,	157	12	0½
John Hughes, and others, towards erecting Buildings, and beginning a Settlement at Wyoming,	500	0	0
<i>October 25, 1757</i>			
George Shaver, for Carriage of 20 Pieces of Blanketing, delivered at Fort Hunter,	3	2	6
Col. John Stanwix, per Capt. John Brown, for James Young's Draft on the Commissioners,	350	0	0
<i>October 26,</i>			
William Nicholson, for a Horse and Saddle for a Cherokee, and keeping sundry Indians Horses,	7	9	0
<i>October 28,</i>			
Samuel Shaw, for French Neutrals in Chester Township,	6	5	0
John Kerbalt, for Ditto, in Whitemarsh,	7	4	5
Samuel Endsworth, for five Horses for the Province Service,	17	0	0
<i>October 29,</i>			
Hugh Roberts, for Sundries for Buildings at Wyoming,	71	4	8
<i>November 1,</i>			
Alexander Edwards, for French Neutrals in Biberry Township,	2	14	7½
Archibald Douglass, for a Horse for a Cherokee Indian,	5	0	0
Charles Norris, for Nathaniel Davids and Daniel Richard's Accounts paid by him, for House-rent and Provisions for French Neutrals,	15	1	9
Thomas Harris, for six Horses in the Province Service,	21	0	0
Jacob Morgan, for Bounty and Recruiting Expences of his Company,	103	9	3

November 3, 1757

Solomon Fussell, sundry Accounts for French Neutrals,	9 17 3
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November 4,

Joseph Fox, Esq; for establishing a Post be- tween this City and Carlisle,	72 10 0
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Ditto, for Indian Goods, to begin a Trade with the Indians,	1,000 0 0
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November 8,

John Reynell, advanced by him for sending Messengers to the Indians, at the Request of George Croghan, Esq;	100 0 0
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Joseph Fox, Esq; for Wood for the Barracks, and Rent of the King's Hospital,	350 0 0
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Lynford Lardner, Esq; to be reserved for Expences of the Pennsylvania Frigate, ...	2,000 0 0
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James Young, in Part of Capt. Busse's Ac- count,	36 13 6
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Mary Middleton, for Wood and Candles for the King's Hospital,	10 19 2
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Hance Hamilton, for Recruiting and for Sundries for the Use of his Company,	59 3 8
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Stewards of Bethlehem, per William Ed- monds, for Sundries supplied the Indians, &c.,	75 11 54
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Deshler and Pawlet, for Provisions for Pro- vincial Forces, and sundry Indians,	550 19 5
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November 9,

John Bissell, for Sundries for Building at Wyoming,	21 2 3
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November 10,

John Harris, for Horses, and sundry others this Day delivered,	57 19 11
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Hoops, Buchanan and West, in Part of their Account of Provisions supplied the Forces,	1,660 4 9
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£ 99,991 10 10

Balance in the Trustees Hands,	8 9 2
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£ 100,000 0 0

Then, the several Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being signed by Mr. Speaker, by Order of the House,

The House rose.

INCIDENTAL CHARGES.

To <i>William Allen</i> , Esq; Chief Justice,	£ 200	0	0
To <i>Lawrence Growdon</i> , Esq; second Justice,	60	0	0
To the Executors or Administrators of <i>Caleb Cowpland</i> , Esq; late third Justice, and <i>William Coleman</i> , Esq; now third Justice, to be adjusted between them,	60	0	0
To <i>Richard Patridge</i> , Esq; his Salary as Agent, £100 Sterling,	157	10	0
To <i>Robert Charles</i> , Esq; his Salary as Agent, £100 Sterling,	157	10	0
To the Members of Assembly for their Attendance, per List,	936	0	3
To <i>Joseph Fox</i> , Esq; for 40 Days on the Committee of Accounts, and burning Paper-money,	12	0	0
To <i>John Hughes</i> , 40 Days on Ditto,	12	0	0
To <i>Daniel Roberdeau</i> , 40 Days on Ditto,	12	0	0
To <i>Richard Pearne</i> , 40 Days on Ditto,	12	0	0
To <i>John Morton</i> , 40 Days on Ditto,	12	0	0
To <i>Richard Walker</i> , 1 Day on Ditto,	0	6	0
To <i>John Baynton</i> , 40 Days on Ditto,	12	0	0
To <i>Richard Hockley</i> , his Account for affixing the Great Seal, &c.	13	4	0
To <i>Richard Peters</i> , his Salary as Clerk to the Council,	15	0	0
To <i>Franklin and Hall</i> , their Account for printing the Votes of the House, Laws and Proclamations,	184	5	0
To <i>Samuel Kirke</i> , Serjeant at Arms,	8	0	0
To <i>David Edwards</i> , Door-keeper, for his Attendance, and other Services, per Account,	35	16	5
To <i>Charles Moore</i> , as Clerk, and his Account of transcribing and engrossing Bills, &c.	165	6	6
To <i>Isaac Norris</i> , Esq; for extraordinary Services,	20	0	0
To <i>Joseph Galloway</i> , Esq; for Ditto,	20	0	0
To <i>Charles Brockden</i> , for recording Acts, and for Exemplifications, &c.	9	15	8
To <i>Issachar Davids</i> , his Account for delivering <i>John Hart</i> to the Sheriff of Lancaster County, in whose Custody he was under Execution, and from under that took to be tried at <i>Philadelphia</i> , on Suspicion of Murder,	4	8	0

To <i>William Dunlap</i> , for four several Accounts of Postage of Letters to the Governor and Secretary, on Provincial Affairs,	24	13	2
To Ditto, for his Account for Printing, forwarding Dispatches, and Horse-hire, on Provincial Affairs,	9	17	6
To <i>John Baynton</i> , a Certificate,	12	4	0

£ 2,165 16 6

WE the Committee have inspected the Accounts hereby referred to, and find them charged as usual.

WILLIAM MASTERS, THOMAS YORKE,
JOHN HUGHES, JOHN BAYNTON."

At an Assembly held in Philadelphia, the Fourteenth Day of October, Anno Domini 1758, P. M.

By the Returns of the Sheriffs of the several Counties, it appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the ensuing Year, *viz.*

For <i>Philadelphia</i> County	For <i>Bucks</i> County	For <i>Lancaster</i> County
<i>Isaac Norris,</i>	<i>Amos Strickland.</i>	<i>Emanuel Carpenter,</i>
<i>Thomas Leech,</i>	<i>Benjamin Chapman.</i>	<i>Isaac Saunders,</i>
<i>Joseph Galloway,</i>	<i>Joseph Watson,</i>	<i>James Webb,</i>
<i>John Baynton,</i>	<i>Derrick Hogeland,</i>	<i>James Wright.</i>
<i>Daniel Roberdeau,</i>	<i>Joseph Kirkbride.</i>	For <i>York</i> County
<i>John Hughes,</i>		<i>John Wright,</i>
<i>Richard Pearne,</i>	For <i>Chester</i> County	<i>David M'Connaughy</i>
<i>Joseph Fox.</i>	<i>Joseph Gibbons.</i>	For <i>Cumberland</i> County
For <i>Philadelphia</i> City	<i>John Morton,</i>	
	<i>George Ashbridge,</i>	<i>William Allen,</i>
<i>Benjamin Franklin,</i>	<i>Roger Hunt,</i>	<i>John Smith.</i>
<i>William Masters.</i>	<i>Hugh Trimble,</i>	For <i>Berks</i> County
For <i>Bucks</i> County	<i>Joshua Ash,</i>	<i>James Boone.</i>
<i>Griffith Owen,</i>	<i>Nathaniel Grubb,</i>	For <i>Northampton</i> County
<i>William Smith,</i>	<i>Isaac Wayne.</i>	
<i>James Melvin.</i>		<i>Lodowick Beeting.</i>

A Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Prov-

ince, to chuse a Speaker, and ISAAC NORRIS, Esquire, was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

The House being informed that the Governor was necessarily engaged in a Treaty with the *Indians* at *Easton*, and that it was impracticable for them to present their Speaker at this Time for his Approbation, agreeable to the usual Practice of the House, they adjourned to *Monday* next, at Ten o'Clock in the Forenoon.

October 16, 1758.

The House met, pursuant to their Adjournment.

A Copy of the Qualification appointed by Law to be taken by the Members of Assembly, and the Test of Abjuration, being brought in, the same were taken and subscribed, first by Mr. Speaker in the Chair, and then at the Table by the rest of the Members present in their Order.

Resolved, that *Charles Moore* be Clerk of this House for the ensuing Year.

Resolved, That *Samuel Kirke* be Serjeant at Arms to this House for the ensuing year.

Resolved, That *Andrew M'Nair* be Door-keeper to this House for the ensuing Year.

Ordered, That Mr. *Galloway*, Mr. *Fox*, Mr. *Smith*, and Mr. *Strickland*, Mr. *Ashbridge*, Mr. *Saunders*, and Mr. *Boone* be a Committee of Grievances for the ensuing Year, and that they have full Power and Authority to send for Persons, Papers and Records.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Fox*, Mr. *Hughes* and Mr. *Masters*, with the Speaker, be a Committee of Correspondence for the ensuing Year.

Ordered, That Mr. *Baynton*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Pearne*, Mr. *Fox*, Mr. *Kirkbride* and Mr. *Morton* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts, and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands, and they have full Power and Authority to send for Papers, Persons and Records.

Ordered, That Mr. *Galloway* and Mr. *Fox* be, with the Speaker, a Committee to revise and correct the Minutes of this House, previous to their Publication.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That *Benjamin Franklin*, Esq; be, and he is hereby continued and appointed Agent for this Province, to solicit and transact the Affairs thereof in Great-Britain, in Pursuance of the Powers and Instructions given to him by a former Assembly, and of such other Instructions as may be hereafter given him by this House.

Resolved, That *Robert Charles* and *Richard Partridge*, Esquires, be appointed Agents to assist the said *Benjamin Franklin* in the Discharge of his Duty in transacting the Affairs of this Province, according to the aforesaid Resolve, during his Stay in *Great-Britain*, and then joint Agents for the remaining Part of the Year.

The House, then adjourned to the first Day of *January* next.

November 15, 1758.

THE Representatives of the People having been by Virtue of the Governor's Writ to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, the House met accordingly.

Ordered, That Mr. *Roberdeau* and Mr. *Kirkbride* wait on the Governor, and acquaint him, that the House are met, pursuant to his Summons, and desire his Honour would be pleased to furnish them with a Copy of the Writ by which they were called.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 16, 1758.

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would lay a Copy of the Writ, by which he had summoned the House, before them this Forenoon.

Mr. Secretary, by Direction from the Governor, brought down, and delivered to the Chair, a Copy of the said Writ, which was read by Order.

Mr. *Galloway*, Mr. *Hughes*, Mr. *Fox*, Mr. *Owen*, Mr. *Webb*, Mr. *Allen* and Mr. *Beeting* appearing for the first time since their Election, were qualified as usual, and took their Seats in the House accordingly.

The House having been prevented, by the Governor's Attendance on the late Treaty with the *Indians* at *Easton*, in presenting their Speaker to him at the usual Time;

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Owen*, Mr. *Morton*, Mr. *Webb*, Mr. *Boone* and Mr. *Beeting* wait on the

Governor, and acquaint him, that the House are met, and desire to know at what Hour it will be most convenient to his Honour for them to wait on him, in order to present their Speaker.

The Members return, and report, they had delivered the foregoing Message according to Order; and that his Honour was pleased to say, he would be ready in Half an Hour to receive the House with their Speaker.

A Message by Mr. Secretary:

SIR,

"The Governor and Council are attending in the Council Chamber, in order to receive the House for the Presentment of their Speaker."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, of whom his Honour had been pleased to approve, and that the Speaker had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into Resolves, nor give the least Credit to such Report.

Fourthly, That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province, and that the same were accordingly granted by the Governor; who was then pleased to make a Speech to the House, a Copy of which, with some Papers therein referred to, he had delivered to the Speaker; and the said Speech being read, follows in these Words, *viz.*

Mr. Speaker and Gentlemen of the Assembly,

'I HAVE ordered the Secretary to lay before you a Letter I lately received from General Forbes, the Importance of which will, I am persuaded, convince you of the Necessity I was under to convene the House on the Occasion.

'The advanced Season, and late heavy Rains, render it doubtful whether the General will be able to accomplish the Reduction of Fort *Duquesne* this Campaign. His Zeal and personal Bravery will, I doubt not, induce him to attempt every wise and prudent Measure practicable to make an Acquisition that will be attended with so many Advantages to his Majesty and his Colonies. It will, however, at all Events, be absolutely necessary for him to maintain this Winter the advanced Posts he has possessed himself of and fortified, whereby he will be in a Condition not only to make an Attempt very early in the Spring, but will be the better enabled in the Mean Time to cover and protect this and the neighbouring Provinces from the cruel Incursions and Ravages of the Enemy. To these Ends his Letter will inform you the General expects to be supplied with Twelve Hundred Men, and Necessaries for their comfortable Support during the Winter; and that he desires to know, without Loss of Time, how far the Assembly of this Province will contribute towards furnishing him with those aids. I must therefore press you to take this Matter into your immediate Consideration, and give me your Answer, that I may have it in my Power to communicate your Resolutions to the General with that Dispatch the Severity of the Season and his critical Situation require.

'But if General *Forbes* should be fortunate enough to take Fort *Duquesne*, I think it will be for the Interest of this Province to garrison that Fortress with our Provincials, as thereby we may have an Opportunity of establishing a Trade, and a lasting Friendship with the *Indians*, without which, it is much to be feared, the *French* and their Emissaries will still maintain such an Influence over the Warriors of the several Nations, as to excite them to renew their Barbarities against the unhappy People on the Frontiers.

'I must also inform you, that the Provincial Commissioners have reported to me, that the last Sum granted to his Majesty by the Legislature of this Province, is near exhausted, and that considerable Arrears are due to the Forces, as you will see by the Paymaster's Estimate, now laid before you. I do not doubt therefore you will, in the most speedy and effectual Manner, raise the Supplies necessary for this Service.

'I have the Pleasure to acquaint you that at the late Treaty at *Easton*, there was a very numerous Appearance of *Indians*, consisting of Deputies from the *Six Nations* and other Tribes; a general Peace was concluded, and I flatter myself, every

Thing done on my Part to their Satisfaction.—They solemnly promise, immediately on their Return, to restore to us all the Captives they have taken from us; and, from their Candour and Openness during the Course of the Treaty, the Concern and Sorrow they repeatedly expressed for the Mischief done by their foolish young Men, who where seduced and misled by the *French*, the many Professions of Friendship and Love for their antient Brethren the *English*, we have the greatest Reason to believe them once more sincerely attached to the *British* Nation. I have also prevailed with them to exert their Influence with the *Indians* in the *French* Interest, settled on the *Ohio*, to withdraw themselves from our Enemies, and return to their former Friendship with us, and have joined with them in sending proper Messages on the Occasion, which I hope will be attended with Success. I have ordered the Minutes of these several Transactions to be laid before you, and hope my Conduct therein will meet with your Approbation."

November 16, 1758.

Then the House adjourned to Three o'Clock, P. M.

The Papers referred to in the Governor's *Speech* were, a Letter from General *Forbes*, with the Paymaster's Estimate of Arrears that will become due to the Troops of this Government by the First Day of *January* next, and a Copy of the Minutes of the late *Indian* Treaty, held at *Easton*, which were severally read by Order: and the said Letter, and Estimate, are as they respectively follow, *viz.*

SIR,

Rays Town Camp, October 22, 1758.

THE heavy Rains that have fallen of late, had rendered the Roads almost impassable for Carriages; these few Days past of dry Weather have given Things a more favourable Aspect, and every Thing is in Motion, the last Division being to march from hence To-morrow.

My State of Health continues precarious, but not so bad as to occasion any Stop to our Operations, which must now come to a speedy Conclusion, on Account of the advanced Season of the Year.

Whatever the Fate of the Army may be it is impossible to foresee; but whether we are successful or not, it is necessary for me to leave as large and extensive a Barrier as possible. to cover the Province of *Pennsylvania*.

The Number of the King's Troops that I have under my Command, does not exceed Twelve Hundred Men, the greatest Part of which I must send down to the inhabited Parts of

the Country to recruit and fit themselves out for the ensuing Campaign; for were I to leave the whole during the Winter in the uninhabited Parts of the Country, these Corps would not be in a Condition to march on Service early in the Spring.

I shall lay before you the Posts that are proposed to be kept up, which are now in Possession of us, leaving it to you, and the Assembly of your Province, to judge of their Importance to them, and to know how far they will contribute in Men, and Expenses for the Supporting of these Posts, and making the Soldiers Lives comfortable, without which no real Service can be expected from them.

I have received no Answer from you relating to Fort *Duquesne*, if it should please God to grant us Success; but whether that Fort is taken or not, the Forts of *Loyal Hannon*, *Cumberland*, *Rays-Town*, *Juniata*, *Littleton*, *Loudoun*, *Fred-erick*, *Shippensburgh* and *Carlisle* ought to be garrisoned, besides those on the other Side of the *Susquehannah*. I have wrote to Mr. *Fouquiere* to know what Assistance I may have from the Colony of Virginia, which I do not expect will be very great, not even to garrison Fort *Cumberland*; their Frontiers are so extensive, that *Augusta* County will require Two Hundred Men to garrison its Forts.—*Winchester*, with the South Branch of *Potomack*, Three Hundred Men more; to which Colonel *Washington's* Regiment will not amount at the End of the Campaign.—I have nothing to expect from *Maryland*, as I am told they have abandoned Fort *Cumberland* and Fort *Frederick*.

It will easily occur to you the Things that will be necessary for making the Soldiers Lives comfortable in this severe Climate during the Winter;—the most necessary are, a second Blanket, in Lieu of a Bed, a Flannel Jacket, a new Pair of Breeches, two Pair of Stockings, and a Pair of Shoes.

I should be glad to know, without Loss of Time, how far your Assembly will go in putting it in my Power to maintain the Ground that is gained.—If they do nothing for the Safety of the Province, I am certain it is not in my Power to defend them during the Winter with the Strength that I shall have left, and which I must expect will daily diminish.

To cover the Country between *Susquehanna* and *Potomack*, and to secure the Communication to the advanced Posts, will require, in my Opinion, Twelve Hundred Men, stationed in the following Manner, *viz.*

At <i>Loyal Hannon</i> ,	300
At <i>Rays-Town</i> ,	200
At Fort <i>Cumberland</i> ,	200

At Fort Frederick,	100
At Juniata,	100
At Littleton,	100
At Loudoun,	100
At Shippensburg and Carlisle	100

1200 Men.

I must intreat you to return me an Answer to this Letter as soon as possible, as it is a Matter of the greatest Consequences to the Colonies. I am, with the greatest Regard,

Sir, Your most obedient and most humble Servant,

JOHN FORBES."

ESTIMATE of Pay that will become due to the Provincial Forces by the first Day of *January, 1759*, as by their last Pay-Rolls, *viz.*

TO Twenty-five old Companies, from the First of <i>October, 1758</i> , to the First of <i>January, 1759</i> , exclusive of Draughts in the Light-Horse, and about Seventy Men at Fort <i>Augusta</i> ,	£ 9,115	0	0
To two Troops of Light-horse Men, from the First of <i>October, 1758</i> , to the First Day of <i>January, 1759</i> ,	889	0	0
To a Detachment at Fort <i>Augusta</i> of the old Companies, about Seventy Men, from the First of <i>June 1758</i> , to the First Day of <i>January 1759</i> ,.....	1,660	0	0
To Twenty-three Companies, new Levies, <i>viz.</i> Eleven Companies from the First of <i>September</i> , Seven Companies from the First of <i>August</i> , and Five Companies from the several Dates of their respective Enlistments; after a Deduction of <i>Seven Pounds</i> , Advance Money <i>per Man</i> , and three Months Pay to the Officers, there will remain due to them by the First Day of <i>January, 1759</i> ,	14,000	0	0
To Staff Officers from the First of <i>October 1758</i> , to the First Day of <i>January 1759</i> ,	358	0	0
	<hr/> £26,022 0 0		

N. B. The Calculation for the new Levies not to be depended on as exact, but as nearly so as I could possibly make

it, they having not been all paid up to one Day, nor the *Seven Pounds*, Advance Money all deducted, that depending on the several Dates of their Enlistments.

JAMES YOUNG, Paymaster."

Upon Motion,

Resolved, That the Committee of Grievances do enquire into the Authors and Dispersers of Libels and scandalous Papers against the Rights, Powers, and Privileges of Assembly, and Persons who have served as Members thereof, for what they said or did in a late Assembly, and report thereon to this House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 17, 1758.

The Committee of Grievances, in Consequence of the Order of last Night, delivered their Report at the Table, which was read by Order of the House, and follows in these Words, *viz.*

THE Committee of Grievances, in Pursuance of an Order of Yesterday, to enquire into the Libels that have been published against the Powers and Privileges of Assemblies, &c. do report, that they find a false, scandalous and seditious Libel, entituled, *The humble Address of William Moore, one of the Justices of the Peace for the County of Chester, to the honourable William Denny, Esq; Lieutenant Governor of the Province of Pennsylvania, &c.* was wrote, signed and published by the said *Moore*, highly reflecting on the Honour, Dignity and Proceedings of a former House of Assembly, and subversive of one of the fundamental and most essential Powers of the Constitution: And that *William Smith* Provost of the Academy of this City, was assisting in promoting and publishing the said Libel; for which the said *Moore* and *Smith* were by the House adjudged to be committed to the public Goal of the County of *Philadelphia*, until they should make Satisfaction to the House, and they were accordingly committed.

Your Committee further report, that the said *Moore* and *Smith* being discharged from their said Confinement by a Writ of *Habeas Corpus*, were, by Order of the last House, committed to the Custody of the Serjeant at Arms, and upon the Breaking up of the said House, were again enlarged, and continue so to be, not having made any Retractation of the Aspersions and Falsehoods in the said Libel contained, nor in any other Manner given Satisfaction to the said House

for the said Offence; but so far from it, that the said *Moore* hath lately added to the said Offence, by writing and publishing another Libel, entituled, *A Charge to the Grand Jury of Chester*, equally reflecting upon the Conduct of the last House of Assembly, inconsistent with the Liberties and Privileges of Assemblies, and subversive of the Powers thereof.

Submitted to the Correction of the House,

Joseph Galloway,
Joseph Fox,
William Smith,
Amos Strickland,
George Ashbridge,
Isaac Saunders,
James Boone."

Then the House adjourned to Three o'Clock, P. M.

The House taking into Consideration the foregoing Report of the Committee of Grievances, and having spent some Time therein, it was unanimously resolved, upon the Question (one Voice only excepted) that the said *William Moore* and *William Smith* be again taken into Custody of the Serjeant at Arms, and that the Clerk do make out Orders for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 18, 1758.

Orders for committing *William Moore* and *William Smith* to the Custody of the Serjeant at Arms being made and read, were signed by Mr. Speaker, by Order of the House, and delivered to the Serjeant.

A Representation from the Commissioners for *Indian Affairs* was presented to the House, and read, setting forth, that from the Disappointments and Delays which have already occurred in the Transportation of Goods from Fort *Hunter* to Fort *Augusta*, as also Peltry and Furs from thence, together with the Difficulty and Uncertainty of procuring Battoes when the River is high enough for Water Carriage, they are apprehensive the good Intentions of the Law under which they act, may be, in great Measure, defeated, unless a Road for Land Carriage to Fort *Augusta* be cut from such Place as the House may judge most likely to answer the Purpose.

The House taking the foregoing Representation from the Commissioners for *Indian Affairs* into their Consideration,

Ordered, That *Benjamin Lightfoot*, and such other capable Person as he shall think proper, do view the Ground between

the inhabited Parts of this Province, and Fort *Augusta*, and make Report to this House in what Manner and Places a convenient Road may be cleared, and made, so as to answer the Purpose of transporting Goods, &c. from *Philadelphia* to the said Fort, together with the best Estimate they are able to form of the Expence that will attend the laying out and clearing the said Road: And it is recommended to the Commissioners for *Indian Affairs*, in Case an Escort should be wanting for the Protection of the said Viewers, that they make Application to the Governor for that Purpose.

The House then resumed the Governor's Speech of the Sixteenth Instant, together with General *Forbes's* Letter, which being again read, were referred to further Consideration.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

November 20. 1758.

The House met, pursuant to their Adjournment.

A Petition from sundry of the Inhabitants of *Chester* County, was presented to the House and read, setting forth, that Squirrels are become of late so numerous in most Parts of the Country, as to prove extremely destructive to the several Kinds of Grain raised therein, and praying that each Family, paying Tax in the Province, may be obliged, by Law, to kill yearly a certain Number of the said Animals; and that such as fail to destroy the said Number, shall pay *Two-pence* per Head for their respective Deficiencies; and those who kill more, receive that sum for each of their Overplus.

The Petition of *William Griffitts* and *Anthony Benezet*, was presented to the House, and read, setting forth the extreme Poverty and Distress of many aged and sick Persons amongst the late Inhabitants of *Nova Scotia*, now in this City, and praying that the House would be pleased to revise and amend the Law some Time ago enacted for the Relief and Support of the said People, the same having been found, upon Experience, insufficient to answer the good Purposes thereby intended.—Both the said Petitions referred to further Consideration.

The House resumed the Consideration of the Governor's Speech; and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

November 21, 1758.

The House resuming the Consideration of the Governor's Speech of the Sixteenth Instant, after some Time spent therein,

Ordered, That Mr. Galloway, Mr. Masters, Mr. Kirkbride, Mr. Hunt, Mr. Morton, Mr. Saunders, Mr. Allen, Mr. Boone and Mr. Beeting be a Committee to answer the said Speech from his Honour.

A Remonstrance from the Commissioners for the *Pennsylvania* Frigate was presented to the House and read, setting forth, that, pursuant to the Recommendation of the House, they had conferred with the Governor about the Disposal of said Ship, and purchasing or building another fitter for the Service; in which Measure his Honour was pleased to acquaint them, he would most chearfully concur with the House, or in any other, for the more effectually preventing the Enemy's Privateers from taking our Merchants Vessels and Effects on the Coast.—That they had made the necessary Enquiries respecting the Prize Ship to be sold at *Halifax*, as recommended by the House, and find, from the best Information, that she will, by no Means, answer their Purpose; but are of Opinion, was an Act made empowering them to build a Vessel in all Respects fit for the Protection of our Trade, such a one might probably be in Readiness some Time in Spring, or by the Proper Season for beginning another Cruise.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 22, 1758.

The Committee appointed to prepare and bring in an Answer to the Governor's Speech, reported they had essayed a Draught for that Purpose, which they presented at the Table; and the same being read, was agreed to by the House, and ordered to be transcribed.

Then the House adjourned to Three o'Clock, P. M.

The Answer of the House to the Governor's Speech being transcribed, was again read, and follows in these Words, *viz.*

May it please your Honour,

WE have carefully weighed your Speech recommending to our Consideration General *Forbes's* Demand of this Province, and we apprehend, was he sufficiently acquainted with the Circumstances and Abilities of the People of this young Colony, the large Aids they have already granted on many Occasions to the Crown, and the Load of Debt they now labour under by Means thereof, he could not reasonably expect them to bear the additional Burden of defraying the extraordinary Expence that must attend the Supporting of Garrisons in Forts, and at Posts so very distant from the inhabited Parts of the Province, as many of those are, mentioned in his

Letter to your Honour, which, as we are well informed, are usually garrisoned by the King's Troops in other Colonies: However, we are so well acquainted with the Circumstances of the People we represent, that we are of Opinion a Burden of that Sort, added to the Sum they now owe, would be too heavy for them to bear.

Your Honour will further be pleased to consider the great Inconveniency which must attend the raising Supplies at this unusual Season of the Year, before we have received the least Intimation of the Measures his Majesty shall be pleased to concert for the common Safety and Protection of the Colonies, or can form an Idea of the Part it will be necessary for this Province to take therein. It is now not more than seven Months since the last Aids were granted to the Crown, and a very heavy additional Tax imposed on the People, from an Expectation that by one vigorous Effort of this and our neighbouring Colonies, his Majesty's General, in this District, would have been enabled to strike a decisive Blow, which would relieve them from the like grievous Burden for the future: And should we, at this Juncture, grant further Supplies, and impose further Taxes upon our Constituents, in all Probability, when we shall be made acquainted with his Majesty's intended Operations in the next Campaign, more Aids may be demanded, and will then become more necessary.

We are therefore induced to postpone the raising of Supplies until our next Meeting, when we expect we shall have an Opportunity of taking into our Consideration as well the Aids necessary to pay off the Arrears due to the Forces, as to defray the Expences of the ensuing Year."

And the said Message being signed by the Speaker, by Order of the House,

Ordered, That Mr. *Morton* and Mr. *Saunders* wait upon the Governor, and deliver the same.

The Members return, and report, they had delivered the said Message to his Honour, according to Order.

The House then resumed the Consideration of the Remonstrance from the Commissioners for the *Pennsylvania* Frigate, and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

November 23, 1758.

The House having spent some Time in the further Consideration of the Remonstrance from the Commissioners for the *Pennsylvania* Frigate,

Ordered, That the Committee of Correspondence do forthwith give Directions to the Agents at Home, to represent to the Lords of the Admiralty, the Losses sustained by the Merchants of this Colony, from a considerable Number of their Vessels lately taken by the Enemy's Privateers on our Coast, notwithstanding the great Expence they have for some Time past been at in supporting a Ship of War to guard the Coast, and humbly pray the Assistance from our Mother Country, of a Vessel or Vessels of superior Force, to be stationed at our Cape, for the more effectual Protection of Trade.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 24, 1758.

The House resuming the Consideration of the Remonstrance from the Commissioners for the *Pennsylvania* Frigate, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Roberdeau*, Mr. *Hughes*, Mr. *Masters*, and Mr. *Allen*, be a Committee to prepare and bring in a Bill for remedying the Inconveniences complained of in the said Remonstrance.

An Account from *Joseph Wharton*, for Rent of Houses taken for the Use of a Number of *French* Neutrals and Soldiers, amounting to *One Hundred Fifty-four Pounds Nine Shillings* and *Ten-pence*, was presented to the House, read, and

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Petition from *William Griffiths* and *Anthony Benezet*, and, after some Time spent therein, adjourned to *Monday* next, at Three o'Clock in the Afternoon.

November 27, 1758.

Mr. Speaker and Twenty of the Members met, pursuant to Adjournment; but three being wanted to make up a Quorum,

Ordered, That the Members who departed the Service of the House, without Leave for so doing, be forthwith sent for by the Serjeant at Arms.

The Members present then adjourned to Four o'Clock To-morrow Afternoon.

November 28, 1758.

Mr. Speaker, with Twenty-one of the Members, met, pursuant to their Adjournment, but two being still wanted to complete a Quorum, they adjourned to Eleven o'Clock To-morrow Morning.

November 29, 1758.

Two of the absent Members being arrived in Town, a Quorum thereof met, pursuant to their Adjournment.

The Committee appointed to prepare and bring in a Supplement to the Act, entitled, *An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy and other Spirits, and a Duty upon Sugar, for supporting and maintaining a Provincial Ship of War, for protecting the Trade of this Province, and other Purposes for his Majesty's Service*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, P. M.

The Supplement to the Act, entitled, *An Act for granting to his Majesty a Duty on Tonnage upon Ships and Vessels; also certain Duties upon Wine, Rum, Brandy and other Spirits, &c.* being read the second time, was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 30, 1758.

Mr. Baynton appearing, was qualified as usual, and took his Seat in the House accordingly.

Then the House adjourned to Three o'Clock, P. M.

The Supplement to the Act, entitled, *An Act for granting to his Majesty a Duty on Tonnage upon Ships and Vessels; and also certain Duties upon Wine, Rum, Brandy, &c.* being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Hunt and Mr. Wayne, wait upon the Governor therewith, for his Assent to the same; and acquaint his Honour, that the House, being desirous to adjourn as soon as may be, request he will be pleased to let them know his Result upon the said Bill with all convenient Dispatch.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 1, 1758.

The Members appointed to wait upon the Governor with the Bill, entitled, *A Supplement to the Act, entitled, "An Act for granting to his Majesty a Duty of Tonnage upon "Ships and Vessels, &c."* reported they had delivered the same according to Order, and that his Honour was pleased to say,

he would take the said Bill into Consideration, and give it all the Dispatch in his Power.

Upon Motion by Mr. *Roberdeau*,

That great Abuses are complained of by the Merchants in the Exportation of Staves and other Lumber, from the City of *Philadelphia*, by which the Value of those Articles is in Danger of suffering a Depreciation abroad;

Ordered, That the said Member have Leave to bring in a Bill for regulating the Exportation of the said Commodities, and remedying the Abuses complained of therein.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration the necessitous Condition of a great Number of the *French* Neutrals collected in the City, and subsisted, in great Measure, by private Charities, whence they are become extremely burdensome to the well disposed Inhabitants,

Ordered, That the Overseers of the Poor for the City of *Philadelphia* have Notice to attend the House at Ten o'Clock To-morrow Morning.

The House then adjourned to Nine o'Clock To-morrow Morning.

December 2, 1758.

The Overseers of the Poor attending, pursuant to Order, were admitted, and having answered such Questions respecting the great Number of Neutral *French* now in the City, as the House were desirous of being resolved in, the said Overseers withdrew.

Ordered, That Mr. *Baynton* and Mr. *Roberdeau*, wait on the Governor, and acquaint him, that the House having no Business before them, request to know when they may expect his Honour's Result upon the Bill under his Consideration.

The Members return, and report, they had delivered the Message of the House, according to Order; and that his Honour was pleased to say, the Secretary should attend the House with the Bill, or a Message, in Half an Hour.

The House resuming the Consideration of the Account of *Joseph Wharton* for House-rent, and having spent some Time therein, are of Opinion, that he be allowed a reasonable Compensation for the Use of his Houses, and refer the same to the Provincial Commissioners for Payment.

Mr. Secretary attending the House, by Order of the Governor, delivered the following verbal Message *viz.*—"That several considerable Merchants of the City having "Presented a Petition to his Honour against the Bill before him, he has the said Petition now under his Consideration."

Ordered, That Mr. *Strickland* and Mr. *Watson* wait on the Governor, and acquaint him, that the House are inclined to adjourn to the fifth Day of *February* next, unless the Governor should be ready this Afternoon to give them an Answer to the Bill lately offered to him for his Concurrence.

The House then adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported they had delivered the same according to Order; and that his Honour was pleased to say, he had the Bill before him much at Heart, that he would give it all the Dispatch in his Power, and as soon as he came to a Result thereon, the House should hear from him.

The House then adjourned to *Tuesday* next, at Four o'Clock, *P. M.*

December 5, 1758.

The House met, pursuant to their Adjournment.

The Overseers of the Poor attending the House, and further representing the extreme Distress of many of the poor Inhabitants late of *Nova Scotia*, some of whom are in immediate Danger of perishing for Want of the common Necessaries of Life, unless supplied at the public Expence,

Resolved, *N. C. D.* That this House will, in their next Supply Bill, make Provision for the Payment of such Debts as shall be necessarily contracted by the Overseers of the Poor of the City of *Philadelphia*, for the Relief of such of the said Inhabitants, late of *Nova Scotia*, as, by Reason of Age, Impotency and other Infirmities, are rendered incapable to provide for themselves.

Ordered, That Mr. *Smith* and Mr. *Melvin* wait on the Governor, and acquaint him, that the House are again met, and desire to know whether his Honour has yet come to any Result upon the Bill before him.

The House then adjourned to Eleven o'Clock To-morrow Morning.

December 6, 1758.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had the Bill lately presented to him still under his Consideration.

The Governor, by Mr. Secretary, sent down a Message to the House, with the Bill, entituled, *A Supplement to the Act, en-*

intituled, "*An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy and other Spirits, &c.*" with two Petitions to his Honour from sundry Merchants of the City against the said Bill, and a Paper referred to in their said Petitions.

The Governor's Message being read, follows in these Words, *viz.*

GENTLEMEN,

'I HAVE ordered the Secretary to lay before you a Petition, presented to me by a great Number of the Merchants of this City, remonstrating against the Bill, intituled, *A Supplement to the Act, intituled, "An Act for granting to his Majesty a Duty on Tonnage upon Ships and Vessels, and also certain Duties upon Wine, Rum, Brandy and other Spirits, and a Duty upon Sugar, for supporting and maintaining the Provincial Ship of War for protecting the Trade of this Province, and other Purposes for his Majesty's Service,"* as very injurious to the Trade of this Province in general, and partial and unequal in the Mode of raising the Tax imposed for the Support of the Province Ship of War. I must acknowledge, that many of the Reasons assigned by them appear to me of great Weight; and as a Matter of this Importance, in which the Well-being of this Colony is so nearly concerned, cannot be too well deliberated on, I return you the Bill, and desire you will take it again into your serious Consideration, together with the Petition now laid before you. For my own Part, I assure you, it will give me great Pleasure to contribute every Thing I can towards the Protection of the Trade of this Province, and you shall always find me ready to concur with you in such Means of doing it as you, who are better acquainted with the Circumstances of your Constituents, shall, on re-considering the Matter, judge most equal and impartial.

December 6, 1758.

WILLIAM DENNY."

The Paper referred to in the Petitions from the Merchants to the Governor, and sent down with the foregoing Message to the House, was intituled, *Reasons humbly offered to his Honour, in Opposition to the Bill lately before him, which being read, were in Substance as follow, viz.*

First, That the Act of Assembly, to which the said Bill is designed as a Supplement, does impose the chief, if not the sole, Burden of the Support of a Provincial Ship of War upon a very few of the Members of the Community, not more, it may safely be said, than forty or fifty of the Inhabitants

of this City.—This Support arises from a Duty of Tonnage upon Vessels, and from a Duty upon Wine, Sugar and spirituous Liquors, imported into this Province; which Duties are paid by the Merchants owning Ships, and importing those Commodities: For though it may be thought that the other Inhabitants of the Province, who purchase these Goods of the Importers, and consume them, do contribute their Proportion, by paying an advanced Price for them on Account of the Duty, yet 'tis well known, from some Months Experience of the late Law, that this is not the Case.—The Scarcity or Plenty of the Commodity regulates its Price, and there have been no Instances of the Merchants getting a Farthing the more on Account of having paid a Duty. The Tonnage upon Ships is incontestably a dead Loss to the Owner, as he has no Way of reimbursing himself, not even by laying a higher Freight on the Goods he carries, it being a known Fact, that since the Enacting of the above-mentioned Law, Freights, instead of rising in Proportion to the Duty, have fallen *Fifteen or Twenty per Cent.*

Secondly, That a Provincial Ship of War is designed for the Protection of some valuable Branches of Trade, which, by the Bill, are to contribute nothing towards her Support.—*e. g.* The Merchant who imports dry Goods from *England*, in a Bottom not his own, must receive considerable Protection from a Ship of War on the Coast, yet he is burdened with no Part of the Expence.—The Insurer, who is likewise considerably protected, pays not a Farthing.—In short, the whole Tax for the Support of such Ship, is laid upon the Owners of Vessels, and the Importers of two or three Commodities.

Thirdly, That while *America* is the Seat of War, the Owners of Ships must necessarily submit to many Hardships, that other People are exempted from, *viz.* Frequent Embargoes, impressing of Ships for his Majesty's Service, and at Wages which they have no Share in fixing; they being restricted from carrying Provisions to neutral Ports, with some other Prohibitions, which are sufficient Discouragements to those Traders, without being loaded with almost the sole Charge of a Ship designed for the Protection of the whole Produce and Trade of the Province.

Fourthly, That the Bill before the Governor does enable the Commissioners to equip and fit out not only one, but as many Ships as they shall judge necessary, on any emergent Occasion; which, the Merchants conceive, is a Power so very unlimited, that, if it should be injudiciously exercised, might

prove the Means of continuing this heavy Burden upon Trade for a long Course of Years.

Fifthly, That the Fund provided for the Support of a Provincial Ship, though very grievous, is not near sufficient to defray the Charge of building, equipping and supporting one proper for the Defence of this Coast.—On the contrary, should such a Ship be built, and continue in Service for three Years, and then be sold, the Merchants must be brought in Debt, upon a just and moderate Calculation, upwards of *Twenty Thousand Pounds*, exclusive of the Interest that must be paid for Money taken up from Time to Time to fit her out; exclusive also of any Damage that may happen to the Ship, or her Furniture, by Storms and other Accidents; and moreover, exclusive of and additional Load of Debt, that may arise from the fitting out other Vessels upon emergent Occasions; all which, it is more than probable, might swell the Sum to *Thirty or Forty Thousand Pounds*.—A Debt which the Merchants think is very hard they should be loaded with in Time of Peace, when all the other Inhabitants of the Province may be free from Taxes.

For these Reasons the Merchants of *Philadelphia* would desire to have no Ship of War at all to protect their Trade, rather than have a good one on the present Terms.—they think the Practice of other Colonies, who maintain their public Ships, by just and general Taxes, ought to be our Example; and they do therefore humbly pray the Governor to put a Negative upon the 'present Bill.'

A Remonstrance from the Merchants, Insurers, and other Traders, Inhabitants of the City and County of *Philadelphia*, was presented to the House and read, setting forth, that if it appears to their Representatives that the Trade and Commerce of this Province, in which every Inhabitant thereof is interested, ought to be carried on and supported by a Tax, they, the Remonstrants, conceive that such Tax should be laid in a just and proportionate Manner, and not by Duties imposed on a Part of the Trade thereof, which must be distressing to Individuals, and tend to the Discouragement of the foreign as well as domestic Trader; that the said Remonstrants have found, by Experience, that the present Mode of raising Money for the Defence of our Coast, and Protection of Trade, is unequal and burdensome to a few, while others, who equally share the Benefit, pay (if any) but a very small Part thereof, wherefore they apprehend the said Mode of raising Money is attended with more Inconveniencies than real Utility or Service to the Trade and Commerce of the

Province, and request their Representatives would resume the Consideration of the late Tonnage Act, together with its Supplement, now before the Governor, and, by repealing the former, and laying aside the latter, relieve the Trade of the Colony from its present Discouragements and Oppressions.

The House taking the foregoing Message from the Governor, with the Petition, Reasons and Remonstrance of the Merchants, Insurers, and other Traders, against the Bill lately presented to his Honour, into Consideration, and having spent some Time therein, dropped the said Bill, and adjourned to *Monday*, the Fifth Day of *February* next.

December 20, 1758.

THE Representatives of the People having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, the House met accordingly.

Ordered That Mr. *Trimble* and Mr. *Webb* wait on the Governor, and acquaint him, that the House are met, pursuant to his Summons, and desire his Honour will be pleased to furnish them with a Copy of the Writ by which they were called.

The House then adjourned to Ten o'Clock To-morrow Morning.

December 21, 1758.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had Matters of great Importance to lay before the House, and would furnish them with a Copy of the Writ by which they were summoned.

Mr. *James Wright* this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

The Rules of the House being then read, as customary, were agreed to, with the following additional Resolve for regulating the Members Attendance thereon, *viz.*

Resolved, That every Member, who shall be absent from the House longer than Half an Hour after the Bell ceases to ring in the Fore- and Afternoon shall be subject to a Fine of *One Shilling* for every such Delinquency; and that Mr. *Pearne* is hereby appointed and empowered to collect the said Fines for the Use of the *Pennsylvania Hospital*.

The Governor, by Mr. Secretary, sent down to the House a written Message, with two Letters therein referred to; also a Copy of the Writ for calling them; and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

'I HAVE the Pleasure to lay before you a Letter I lately received from Brigadier General *Forbes*, with the interesting and important Account of his Success in the Expedition against his Majesty's Enemies to the Westward. An Event which, it is true, has been purchased at a considerable present Expence; but when the Consequences are coolly weighed and considered, of suffering the *French* to lay the Foundation of our future Slavery, by possessing themselves of, and fortifying, the back Parts of his Majesty's Colonies on this Continent, and to keep open a Communication between their Settlements from *Canada* to the *Mississippi*, I am persuated every real Friend of Liberty will think this Conquest could not have been too dearly bought.

'Under divine Providence, and the Courage, Prudence and steady Conduct of the General, who is known, during the Campaign, to have struggled with, and surmounted, Difficulties almost insuperable, under the severest Indisposition of Body, the Success of this Expedition is owing to the good Effects of our several Treaties and Negotiations with the *Indians* on the *Ohio*, who were determined, by the Messages sent them from the last Treaty at *Easton*, to withdraw themselves, and observe a Neutrality.

'The great Advantages that will attend this Success of his Majesty's Arms, will be sensibly felt by all the *British* Colonies, but by none so much as this Province, whose Inhabitants have been the most exposed to the Incursions and Cruelties of the *French*, and their Allies, from that Quarter. It is not, however, to be expected that our vigilant and crafty Enemies will permit us long to remain in the quiet and undisturbed Possession of the Country, which they have been compelled to abandon to us. Common Prudence, therefore, as well as a Sense of Duty to our Sovereign, and ourselves, demand of us to lose no Time in preparing to repel any Attempts they may make next Spring to retrieve their Losses. In the mean Time also it highly behoves us, by every probable Expedient, to confirm the *Indians* on the *Ohio* in their present good Dispositions, and conciliate their Affections to his Majesty, his Subjects and Government. To effect this, much remains to be done. Yet, wavering in their Minds, and, probably, not unanimous in their Councils on this new Turn of Affairs,

they will be liable to be again poisoned and misled by the *French*, unless we speedily evince to them that a firm Reliance may be had on our Friendship, and that we are able and willing to protect them against the *French*.

'You will find, by the General's Letter, dated at Fort *Duquesne*, that he had determined to leave two Hundred of our Provincial Troops, to join a proportionable Number of *Virginians* and *Marylanders*, to protect the Country, and that he desires my Advise how to dispose of the rest of the Provincials for the Ease and Conveniency of the Province and Inhabitants. It was not in my Power to comply fully with the General's Request, without previously knowing what Number of Troops you would agree to support the ensuing Year. I was therefore under the Necessity of convening you before the Time of your Adjournment, to deliberate on this and the other important Matters I have mentioned to you.

'General *Forbes* is of Opinion, that the Building of a Block-house and Saw-mill, upon the *Kiskemonitas*, near *Loyal Hanning*, will be of the utmost Consequence to this Province, and, at his pressing Instance, I recommend it to you to make speedy Provision for so necessary a Work.

'I have appointed *Indian* Agents to reside at *Fort Allen*, and in any Place that shall be thought most proper over *Susquehanna*. And the Commissioners under the Act of Assembly for preventing Abuses in the *Indian* Trade, &c. have, with my Approbation, already sent up Quantities of *Indian* Goods, which will, I hope, have a very good Effect on our new Friends, and be a Means of disposing them to continue hearty in his Majesty's Interest.

I must also inform you, that I have very lately received a Letter from General *Amherst*, dated the Thirteenth Instant, which will be laid before you by the Secretary; wherein his Excellency informs me, "That though he has not as yet any particular Orders relative to the Operations of the ensuing Campaign, he imagines the same Number of Provincial Troops will be required that were voted by the respective Colonies this Year; and that it will likewise be necessary, in order to carry those Operations the more effectually into Execution, that those Troops should be at the Place of Rendezvous as early in the Spring as possible. He therefore recommends it to me, if the Troops raised by this Province, for the Services of the last Campaign, are not already disbanded, that I would move you to continue them in their Pay during the Winter, which will not only be a great Saving in Point of Time, but, by what he can understand, a great

Saving of Expence to the Province. But if it should so happen that the Troops should have been already disbanded, in that Case he desires I would lose no Time in using my influence with you to order new Levies, and to cause them to be provided with the usual Necessaries, and to be ready by the Time the Season will admit their taking the Field."

'Before I received the General's Letter, I had given Orders for the Discharge of the Companies which were enlisted for the Campaign only, and sent the Paymaster to adjust their Accounts, that every Man might receive, with the Discharge, a Certificate of the Sum due to him, on which he might, perhaps, obtain Credit for the Purchase of Necessaries. The Paymaster is likewise directed to appoint some proper Person to receive and take Care of the Arms, Accoutrements and Blankets from every Soldier, before he is discharged.

'The Reasons assigned by General *Amherst* for keeping up the Provincials raised for the Service of the last Year, are so cogent and judicious, that it would be vain for me to add any Thing in Support of them. I hope therefore you will take his Excellency's Requisition into your serious Consideration, and enable me to give him a speedy Answer.

'Before I conclude, Gentlemen, I must remind you, that large Arrears are due to the Troops in Pay of the Province, more than the last Sum raised for his Majesty's Use will, as I am informed, be sufficient to discharge, and beg you will consider, that it is the Honour, as well as the Interest, of this Province, that Means should be found for the speedy Payment of this Debt.

December 21, 1758.

WILLIAM DENNY."

The Papers referred to in the foregoing Message were two Letters to the Governor; one from Brigadier General *Forbes*, dated at *Pittsburg*, (late *Fort Duquesne*) *November 26*,—the other of the Thirteenth Instant, from his Excellency General *Amherst*, at *New-York*, both which Letters were read by Order, and are as they severally follow, *viz.*

To the Honourable WILLIAM DENNY, Esq; Lieutenant Governor of the Province of Pennsylvania, &c.

Fort Duquesne, (now Pittsburg) November 26, 1758.

SIR,

I HAVE the Pleasure and Honour of acquainting you with the signal Success of his Majesty's Troops over all his Enemies on the *Ohio*, by having obliged them to burn and abandon their *Fort Duquesne*, which they effectuated upon the Twenty-fourth Instant, and of which I took Possession, with my little Army,

the next Day; the Enemy having made their Escape down the River, Part in Boats, and Part by Land, to their Forts and Settlements on the *Mississippi*, being abandoned, or at least not seconded, by their Friends the *Indians*, whom we had previously engaged to act a neutral Part, and who seem all willing and ready to embrace his Majesty's most gracious Protection.

So give me Leave to congratulate you upon this important Event of having totally expelled the *French* from their Fort, and this prodigious Tract of Country, and of having in a Manner, reconciled the various Tribes of *Indians*, inhabiting it, to his Majesty's Government.

I have not Time to give you a Detail of our Proceedings and Approaches towards the Enemy, or of the Hardships and Difficulties that we necessarily met with;—all that will soon come out; but I assure you, after reviewing the Ground and Fort, I have great Reason to be most thankful for the Part that the *French* have acted.

As the Conquest of this Country is of the greatest Consequence to the adjacent Provinces, by securing the *Indians* our real Friends for their own Advantage, I have therefore sent for their Head People to come to me, when I think, in few Words, and a few Days, to make every Thing easy. I shall then set out to kiss your Hands, if I have Strength enough left to carry me through the Journey.

I shall be obliged to leave about Two Hundred of your Provincial Troops to join a Proportion of *Virginians* and *Marylanders*, in order to protect this Country during Winter, by which Time I hope the Province will be so sensible of the great Benefit of this new Acquisition, as to enable me to fix this noble fine Country to all Perpetuity under the Dominion of *Great-Britain*.

I beg the Barracks may be put in good Repair, and proper Lodging for the Officers, and that you will send me, with the greatest Dispatch, your Opinion how I am to dispose of the rest of your Provincial Troops, for the Ease and Convenience of the Province, and the Inhabitants. You must also remember that Col. *Montgomery's* Battalion of Thirteen Hundred Men, and four Companies of *Royal Americans*, are, after so long and tedious a Campaign, to be taken Care of in some comfortable Winter Quarters.

I kiss all your Hands, and flatter myself, that if I get to *Philadelphia*, under your Cares and good Companies, I shall yet run a good Chance of re-establishing a Health that

I run the Risk of ruining, to give your Province all the Satisfaction in the Power of my weak Abilities.

*I am, Sir, with great Esteem and Regard,
Your most obedient humble Servant,
JOHN FORBES."*

P. S. I must beg that you will recommend to your Assembly the Building of a Blockhouse and Saw-mill upon the *Kiskemonitas*, near *Loyal Hanning*, as a Thing of the utmost Consequence to their Province, if they have any Intention of profiting by this Acquisition. I send the new Levies to *Carlisle*, so beg you will lose no Time in sending up Mr. *Young*, the Commissary, to clear them."

To the Honourable WILLIAM DENNY, Esq; Lieutenant Governor of the Province of Pennsylvania, &c.

New-York, December 13, 1758.

SIR,

THE King having been pleased to appoint me Commander in Chief of all his Majesty's Forces in *North-America*, and having, at the same Time, signified to me his Royal Pleasure, that I should correspond with, and apply to, all his Governors on the Continent for their Aid and Assistance, in carrying on the Services pointed out to me, I am, in Obedience to those Commands, to acquaint you, that although I have not, as yet, any particular Orders relative to the Operations of the ensuing Campaign, I imagine they will require the same Number of Provincial Troops that were voted by the respective Provinces and Colonies this Year; and it will likewise be necessary, in order to carry those Operations the more effectually into Execution, that those Troops should be at the Place of Rendezvous as early in the Spring as possible; I would therefore recommend it to you, if the Troops raised by your Province for the Services of the last Campaign, are not already disbanded, that you would move your Assembly to continue them in their Pay during the Winter, which will not only be a great Saving in Point of Time, but, by what I can understand, a great Saving of Expence to the Province; wherefore I should hope you will the more easily succeed in your Application: But if it should so happen, that, before the Receipt of this Letter, those Troops has already been disbanded, in that Case I must desire that you will lose no Time in using your Influence with your Assembly to move them to order new Levies, and to cause these to be provided with the usual Necessaries, and to be ready by the Time the Season will admit their taking the Field.

Having also received his Majesty's Orders to recruit and complete the Regiments now serving on the Continent, I am likewise to beg your Countenance and Protection to the Officers I shall have Occasion to send, as well as those that have already been sent by my Predecessor on that Service, and that you will be aiding and assisting unto them in the Execution thereof.

*I am, with great Regard, Sir,
Your most obedient humble Servant.*

JEFFERY AMHERST."

Then the House adjourned to Three o'Clock, P. M.

The House resumed the consideration of the Governor's Message, and, having spent some Time therein, adjourned to Ten o'Clock To-morrow Morning.

December 22, 1758.

The House went again upon the Consideration of the Governor's Message of Yesterday, and, after some Debate thereon, adjourned to Three o'Clock, P. M.

The House proceeded in their Consideration of his Honour's Message, and, having gone through therewith,

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Chapman*, Mr. *Hunt*, Mr. *James Wright*, Mr. *M'Connaughy*, Mr. *Allen*, Mr. *Boone* and Mr. *Beeting* be a Committee to prepare and bring in an Answer to the said Message by the Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 23, 1758.

The Governor sent down, by the Secretary, to the House a Letter and Account from Colonel *Peter Schuyler*, of *New-Jersey*, with the following verbal Message, *viz.* "The Governor commands me to lay before the House a Letter he has received from Colonel *Peter Schuyler*, enclosing an Account, amounting to Nineteen Hundred and Sixteen Livres, or *Eighty-three Pounds Sixteen Shillings and Six-pence Sterling*, which he disbursed for sundry Persons, Prisoners in *Canada*, belonging to this Province, and requests the same may be repaid to that good and worthy Gentleman, with Thanks for his great Kindness on this Occasion."

The said Letter and Account being then read by Order.

Resolved, That the Provincial Commissioners do repay to Colonel *Peter Schuyler* the Sum of *Eighty-three Pounds Sixteen Shillings and Six-pence Sterling*, generously advanced by him for the Subsistence and Redemption of sundry Inhabitants

of this Province, lately Captives among the *French* and *Indians* in *Canada*, and that the said Commissioners do also present the Thanks of this House to that Gentleman for his disinterested, humane and friendly Conduct herein.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Twenty-first Instant, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was, after some Amendments thereon, agreed to, and ordered to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.*

The Answer to the Governor's Message being transcribed, was compared at the Table, signed by Mr. Speaker, by Order of the House, and follows in these Words, *viz.*

May it please your Honour,

THE Advices of the Success of his Majesty's Forces employed in the Reduction of Fort *Duquesne*, which you have been pleased to lay before us in your Message of the Twenty-first Instant, are so interesting and important, as well to the Peace of this and the neighboring Provinces, as to the *British* Interest in general, that we shall not fail to do every Thing which can be reasonably expected from this young Colony, in frustrateing the ambitious Views of the *French* to destroy our Settlements, and extend their own from *Canada* to the River *Mississippi*, and we hope the Success of our late Campaign under General *Forbes* will greatly contribute to this good End.

This happy Event, we agree with your Honour, "under Divine Providence, and the Courage, Prudence, and steady Conduct of the General," is owing to the good Effects of the several Treaties held with the *Indians* at the Expence of this Province, and especially to the late Negotiations and Messages with those on the *Ohio* before and since the last Treaty at *Easton*, by which they were induced to withdraw themselves from the *French*, and observe a Neutrality; in Consequence whereof the Enemy have been necessitated to abandon the Fort, from whence they have so frequently distressed our Frontier Settlements, and those of the neighbouring Colonies.

The ragaining the *Indian* Affections, from which we always expected the most natural Barrier, and Security of the extended western Boundary of this Colony, has been and will still continue, the Object of our strictest Attention, and we shall, whenever we receive sufficient Information of the Disposition of the *Indians* on the *Ohio*, and the Treaty held with them by Order of General *Forbes*, exert our best Abilities to render it their true Interest to join cordially with us, and

by all Means in our Power endeavour to revive, and effectually secure, that Friendship which happily subsisted between them and us, till within these few Years, from the first Settlement of this Province.

In Expectation of a vigorous Effort to be made upon the Enemy in the next Year, and at the Requisition of his Excellency General *Amherst*, we shall continue the Fourteen Hundred old Troops in the Pay of the Province till our next Meeting, at which Time we hope to receive further Information from our Most Gracious Sovereign of the intended Operations of the ensuing Campaign.

Your Honour's Care to discharge the new Levies, in Pursuance of their Agreement, and the Method you have taken to grant them Certificates for their Arrears, are very agreeable to us, as thereby the public Faith will be preserved, should the last Supplies fall short, till this Debt can be provided for in the Aids to be granted to his Majesty for defraying the Expences of the ensuing Year.

We return your Honour our Thanks for your ready Concurrence with the Commissioners of the *Indian* Trade, in providing an early Supply of Goods for our Indian Allies, which we hope will have a good Effect, and if the Act for preventing Abuses in the said Trade should, on Experience, and a larger Extension of our Trade, require any Alterations, or a larger Stock, we shall, on all Occasions, be willing to make such Alterations or Amendments to that Act as may render it effectual.

Signed by Order of the House,

December 23, 1758.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Saunders* and Mr. *M'Connaughy* do wait on the Governor with the foregoing Message, and acquaint his Honour, that the House having gone through the Business before them, incline to adjourn, as formerly, to the Fifth Day of *February* next.

The Members return, and report, they had delivered the Messages of the House according to Order, and that the Governor was pleased to make no Objection to their proposed Term of Adjournment.

Then the House adjourned accordingly to the Fifth Day of *February* next.

February 5, 1759.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* wait on the Governor, and acquaint him, that the House being met, pur-

suant to their Adjournment, are ready to proceed upon any Business his Honour may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 6, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order, and that his Honour was pleased to say in Answer, he had received some Letters from the Commander in Chief of his Majesty's Forces, which he should lay before the House this Morning, for their Consideration.

The Governor, by the Secretary, sent down to the House two Letters from his Excellency General *Amherst*, both dated at *New-York*, one *December* 30th, and the other on the 13th of *January*, with certain Articles agreed on, between the Select Men of the Town of *Boston*, and Lieutenant Colonel *Robertson*, by Command of the General on the Part of the Crown; for the better Quartering of his Majesty's Troops in Barracks; also the following verbal Message from the Governor, *viz.*

"The Governor recommends to the House, the immediate Consideration of the distressed State of the Provincials, who are on Duty in the several Garrisons on the Frontiers. His Honour desires a sufficient Number of Blankets may be forthwith sent, and the Soldiers enabled to provide for themselves such Necessaries as are absolutely wanted in this severe Season." The said Letters from the General being read, respectively follow in these Words, *viz.*

SIR,

New-York, December 30, 1758.

I RECEIVED, with great Pleasure, your Letter of the 25th Instant, accompanying your Message to the Assembly, and their Answer; both which are so satisfactory, and so promising for the Good of the Service in general, that I should think myself wanting in Point of Acknowledgment, were I not to make you the most early Return for the same.

The ready Compliance of the Assembly, at my Requisition, to continue the Fourteen Hundred old Troops in the Pay of the Province, till their next Meeting, likewise merits my warmest Thanks, which I beg to convey to them through your Channel, with the further Assurances of my taking the first Opportunity to lay before his Majesty this Mark of their Loyalty and Zeal.

I am also much obliged to you for the Copy of Brigadier General *Forbes's* Letter, but am sorry to find, he was so much indisposed, as not to be able to travel from *Loyal Hannon*. I

hope he will have recovered, and that I shall soon have the Satisfaction of congratulating him on his Return to *Philadelphia*. I am, with great Regard,

SIR, Your most obedient humble Servant,

To the Honourable William Denny, Esq;

Pennsylvania

JEFF. AMHERST."

The General's Second Letter.

SIR,

New-York, January 13, 1759.

YESTERDAY I had the Pleasure of your Letter of the Eighth Instant by Lieutenant Colonel *Morris*, acquainting me with your being to meet the Assembly of the Lower Counties on the 22d of this Month; and that as you have experienced their loyal Affection to his Majesty's Person and Government, you flatter yourself, they will chearfully raise Supplies for the Service of the current Year, to the utmost of their Abilities: I wish you, Sir, at that Meeting, all imaginable Success; and, from your experienced good Opinion of them, make no Doubt, but I shall have the Satisfaction of congratulating you thereupon, and of returning them my warmest Thanks.

Lieutenant Colonel *Morris* having represented to me that some small Difficulties had arisen at *Philadelphia* in Relation to Quartering, I take this Opportunity of transmitting to you a Copy of the Agreement entered into between the Deputy Quarter Master General for the King and the Select Men of *Boston*, which I have made a standing Rule for all the other Provinces and Colonies on the Continent, who now, one and all, comply therewith; and as I have no Reason to think that *Pennsylvania* would be deficient in their Care of, and Regard for, the Troops sent for their Defence and Protection, I make no Doubt, that upon Sight of the before-mentioned Agreement, they will chearfully comply with it, and cause every Difficulty that may have arisen, immediately to subside. I am, with great Regard,

SIR, Your most obedient humble Servant,

To the Honourable Governor Denny,

Philadelphia.

JEFF. AMHERST."

Then the House adjourned to Three o'Clock, *P. M.*

The Petitions of *Hugh Davey* and *James Trueman*, of the City of *Philadelphia*, were presented to the House and read, praying to be appointed the Officer for inspecting Staves, Heading and other Lumber, to be exported from this Province, in Pursuance of a Bill for that Purpose, now under Consideration of the House.

The House then resumed the Consideration of the General's Letters, sent down by the Governor, together with his Honour's verbal Message, and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

February 7, 1759.

A Petition from a considerable Number of the Inhabitants of Chester County was presented to the House and read, setting forth the unequal Methods hitherto pursued in the said County for procuring Waggons required in his Majesty's Service, and praying a Law may be enacted, appointing and empowering the Assessor in each Township, with one or more Freeholders, chosen by a Majority of the Township as Assistants to him, to raise as much Money upon the Inhabitants, according to the Assessment made by the County Assessors, as shall be judged necessary to procure one or more Waggons, Horses, &c. in each Township, agreeable to the Number demanded for the said Service; and that the said Assessors and their Assistants be empowered to receive the Wages for the same, and distribute the Money so received among the Inhabitants, in Proportion to the Sum levied on each of them, and be obliged to settle and clear their Accounts with the County Commissioners.—*Referred to further Consideration.*

The House then resuming the Consideration of the Governor's Verbal Message of Yesterday, after some Debate thereon,

Resolved, That it be recommended to the Provincial Commissioners to enquire into the Number of Blankets which the *Pennsylvania* Troops are at present possessed of fit for Use, and furnish them with such an additional Number thereof, as shall be found absolutely necessary to prevent their suffering from the Severity of the Season; the Expence whereof the House agree to make Provision for in their next Grant of Supplies to the Crown.

Ordered, That Mr. *Strickland* and Mr. *Kirkbride* do wait on the Governor, and acquaint him, that pursuant to his Honour's Recommendation of Yesterday, the House have referred to the Provincial Commissioners to make Provision of, and send up, such a Number of Blankets to the several Garrisons, as may be at present wanted by the Troops on Duty therein; and as no Advices have been yet received from *Great-Britain* relating to the Plan of Operations for the current Year, by which Means the House is not sufficiently enabled to enter upon the immediate Consideration of the Supplies necessary for the

Service thereof, they incline to adjourn to the Twenty-sixth of this Instant, if the Governor hath no Objection thereto.

The Members return, and report, they had waited on his Honour, and delivered their Message according to Order; in Answer to which he was pleased to say, he was glad the House had ordered a proper Supply of Blankets for the Troops; and as he had not received any late Intelligence from *Europe*, nor had any other Matters to lay before them, which required their immediate Attention, he should not object to the proposed Term of Adjournment.

Then the House adjourned accordingly to *Monday*, the Twenty-sixth of this Instant, at Four o'Clock in the Afternoon.

February 26, 1759.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Baynton* and Mr. *Roberdeau* wait on the Governor, and acquaint him, the House are met, agreeable to their Adjournment, and ready to receive any Business his Honour may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 27, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he believed he should have some Business to lay before the House this Morning.

The Petitions of *Isaac Garriques* and *James Peller* were presented to the House and read, praying to be appointed the Officer for executing a Law, now under the Consideration of the House, for regulating the Exportation of Staves, Heading, Plank, Timber, &c. from this Province.

The Governor, by Mr. Secretary, sent down a written Message to the House, with some Letters therein referred to; also a Message from the Honourable the Proprietaries of *Pennsylvania*, to the Assembly, with their Answer to a Paper, entituled, "*Heads of Complaint*," presented to them by *Benjamin Franklin*, Esq; Agent in *Great-Britain* for the said Province; and his Honour's Message being read, follows in these Words, *viz.*

GENTLEMEN,

'I NOW lay before you a Letter I lately received from one of his Majesty's principal Secretaries of State, dated the Ninth Day of *December* last, wherein he is graciously pleased to signify his Resolution to improve the great and important Ad-

vantages gained the last Campaign, as well as to repair the Disappointment at *Ticonderoga*, and, by the most vigorous and extensive Efforts, to avert, by the Blessing of God on his Arms, all Dangers which may threaten *North America* from any future Irruptions of the *French*; and that his Majesty, not doubting but all his brave Subjects there, will chearfully co-operate with, and second, to the utmost, the large Expence and extraordinary Succours supplied by the Kingdom of *England*, for their Protection and Defence; and his Majesty, considering that the several Provinces, from *Pennsylvania* inclusive to the Southward, are well able, with proper Encouragement, to furnish a Body of several Thousand Men, to join his Forces in those Parts, for some offensive Operations against the Enemy, has therefore signified to me his Pleasure, that I should forthwith use my utmost Endeavours and Influence with you, to induce you to raise, with all possible Dispatch, within this Province, at least as large a Body of Men as you did for the last Campaign, and even as many more as the Number of its Inhabitants may allow, to hold themselves in Readiness to march, as early as may be, to the Rendezvous, at such Place or Places as may be named for that Purpose by the Commander in Chief of his Majesty's Forces in *North-America*, or the Officer who shall be appointed to command the King's Forces in those Parts, to proceed, in Conjunction with a Body of his Majesty's *British* Troops, so as to begin, as soon as practicable, such offensive Operations as shall be judged, by such Commander of his Majesty's Forces, most expedient for annoying the Enemy, and most efficacious towards removing and repelling the Dangers that threaten the Frontiers of the Southern Colonies on this Continent. His Majesty is further pleased to furnish all the Men, so raised, with Arms, Ammunition and Tents, as well as to order Provisions to be issued for the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces; and a sufficient Train of Artillery will also be provided, at his Majesty's Expence, for the Operations of the Campaign. The Whole therefore that the King expects from you, is the Levying, Cloathing and Pay of the Men; and that no Encouragement may be wanting to the fullest Exertion of your Force, his Majesty is further most graciously pleased to acquaint me, that strong Recommendations will be made to Parliament, in their Sessions next Year, to grant a proper Compensation for such Expences, according as the active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit.

'Gentlemen, in Obedience to the King's Commands, I do most earnestly recommend it to you, to take these Matters into your immediate Consideration, and lose no Time in complying with the reasonable Requisitions his Majesty makes of you. A Sense of Duty to the best of Kings, the Preservation of your own Liberties and Possessions, which his Majesty is wisely and vigorously endeavoring to support and transmit to your Posterity, are Motives that must inspire you with the highest Zeal; and the Example of the Parliament of *Great-Britain*, unanimously concurring with his Majesty's Measures, must animate you to exert yourselves, to the utmost of your Power, on this interesting Occasion; and, I doubt not, will induce you chearfully to raise the Supplies required of you. I also lay before you a Letter from General *Amherst*, Commander in Chief of all his Majesty's Forces in *North-America*, requesting that the Forces raised by this Province may be in Readiness by the Tenth of *April*, at which Time he proposes to take the Field. I must therefore press you to use Dispatch in your Councils, that such Advantages, as the General may reasonably expect to reap from opening the Campaign so early, may not be frustrated.

February 27, 1759

WILLIAM DENNY."

The Letters referred to, in the foregoing Message, from the Honourable *William Pitt*, Esq; one of his Majesty's principal Secretaries of State, and his Excellency General *Amherst*, were then severally read, and are as they respectively follow, viz.

The SECRETARY of STATE'S Letter,

SIR,

Whitehall, December 9, 1758.

HIS Majesty having nothing so much at Heart as to improve the great and important Advantages gained the last Campaign, as well as to repair the Disappointment at *Ticonderoga*, and, by the most vigorous and extensive Efforts, to avert, by the Blessing of God on his Arms, all Dangers which may threaten *North-America* from any future Irruptions of the *French*; and the King not doubting that all his faithful and brave Subjects there will chearfully co-operate with, and second, to the utmost, the large Expence and extraordinary Succours supplied by this Kingdom for their Preservation and Defence; and his Majesty considering that the several Provinces from *Pennsylvania* inclusive, to the Southward, are well able, with proper Encouragement, to furnish a Body of several Thousand Men, to join the King's Forces in those Parts, for some offensive Operations against the Enemy; and his Majesty not judging it expedient to limit the Zeal and Ardour of any

of his Provinces, by making a repartition, of the Forces to be raised by each respectively, for this most important Service; I am commanded to signify to you the King's Pleasure, that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, within your Government, at least as large a Body of Men as they did for the last Campaign, and even as many more as the Number of its Inhabitants may allow, and forming the same into Regiments, as far as shall be found convenient; that you do direct them to hold themselves in Readiness, as early as may be, to march to the Rendezvous, at such Place or Places as may be named for that Purpose by the Commander in Chief of his Majesty's Forces in *America*, or by the Officer who shall be appointed to command the King's Forces in those Parts, in order to proceed from thence, in Conjunction with a Body of his Majesty's *British* Forces, and under the supreme Command of the Officer to be appointed as above, so as to be in a Situation to begin, by the First of *May*, if possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged by the Commander of his Majesty's Forces in those Parts most expedient for annoying the Enemy, and most efficacious towards removing and repelling the Dangers that threaten the Frontiers of any of the Southern Colonies on the Continent of *America*; and the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province as you shall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men; in the Disposition of which Commissions, I am persuaded you will have nothing in View but the Good of the King's Service, and a due Subordination of the Whole, when joined to his Majesty's Commander; and all Officers of the Provincial Forces, as high as Colonels inclusive, are to have Rank, according to their several respective Commissions, agreeable to the Regulations contained in his Majesty's Warrant of the Thirtieth of *December* last Year.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces; and a sufficient Train of Artillery will also be provided, at his Majesty's Expence, for the Operations of the Campaign; the Whole,

therefore, that the King expects and requires from the several Provinces, is the Levying, Cloathing and Pay of the Men; and on those Heads also, that no Encouragement may be wanting to the fullest Exertion of your Force, his Majesty is further most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parilment, in their Sessions next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and Strenuous Efforts of the respective Provinces shall justly appear to merit.

It is his Majesty's Pleasure that you do, with particular Diligence, immediately collect, and put into the best Condition, all the Arms issued last Campaign, which can be any way rendered serviceable, or that can be found within your Government, in order that the same may be employed, as far as they will go, in this Exigency.—I am at the same Time to acquaint you, that a reasonable Supply of Arms will be sent from England, to replace such as may have been lost, or have become unfit for future Service.

I am further to inform you, that similar Orders are sent by this Conveyance to *Maryland, Virginia, North-Carolina* and *South-Carolina*. The Northern Governments are also directed to raise Men in the same Manner, to be employed in such offensive Operations as the Circumstances and Situation of the Enemy's Possessions in those Parts may point out, which it is hoped will oblige them so to divide their Attention and Forces, as will render the several Attempts more easy and successful.

It is unnecessary to add any thing to animate your Zeal in the Execution of his Majesty's Orders on this great Occasion, where the future Safety and Welfare of America, and of your own Province in particular, are at Stake; and the King doubts not, from your known Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch in this urgent and decisive Crisis. I am,

SIR, Your most obedient humble Servant,
WILLIAM PITT."

His EXCELLENCY GENERAL AMHERST's Letter.

SIR,

New-York, February 16, 1759.

I Yesterday had the Honour of receiving a Letter from Mr. Secretary *Pitt*, bearing Date of the Ninth of *December* last, signifying to me, that his Majesty had judged it expedient to dispatch his Orders to the several Governors in *North-America*, for levying the same, or a greater Number, if possible, of Men

than they did for the last Campaign, and, at the same Time, enclosed to me the Copies of his circular Letters to the Northern and Southern Governors on that Subject, wherein the King's Directions are so fully stated, that I can have little else to add than my most earnest Recommendations to you, forthwith to use your utmost Endeavors and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, within your Government, at least as large a Body of Men as they did for the last Campaign, and even as many more as the Number of its Inhabitants may allow, in which I should hope you will prove the more successful, as I have already prepared you for it so long ago, as by my Letter of the Thirteenth of *December* last.

As I propose to begin the Operations of the ensuing Campaign as soon as the Season will permit me, and, if possible, much earlier than the First of *May*, I must, notwithstanding Mr. Pitt's Letter, desire that the Troops of your Province may be ready by the Tenth of *April* at furthest.

I must likewise particularly recommend to you, the strict and immediate Observance of his Majesty's Directions, relative to the collecting and putting into the best Condition, all the Arms issued last Campaign, and that have not been returned, which can be any way rendered serviceable, or that can be found within your Government, in order that the same may be employed, as far as they will go, in this Exigency.

And as most People in *North-America* have Arms of their own, which, from their being accustomed to, and being so much lighter than the *Tower* Arms, must be more agreeable and proper for them, I do, as an Encouragement for their coming provided with them, engage to pay for every one of those they shall so bring, and that may be spoiled, or lost in actual Service, at the Rate of *Twenty Five Shillings* a Fire-lock, which I understand was allowed last Campaign. I am, with great Regard,

SIR, Your most obedient humble Servant,
JEFF. AMHERST."

A MESSAGE from the Honourable the Proprietaries THOMAS and RICHARD PENN, Esquires, to the House of Representatives of the Province of Pennsylvania.

GENTLEMEN,

IN the Month of *August*, in the last Year, Mr. Franklin delivered to us a Note or Billet, entituled, "*Heads of Com-*

plaint."—When first delivered, it was a blank Paper, neither dated, signed or addressed to any Person; but a few Days after he did sign it, and set a Date to it of the Twentieth of *August*.

It appeared to us to be very short and general, and to allude to sundry Transactions in *Pennsylvania*, which were to be sought for in your Votes, and without the Aid thereof, it was not possible to guess at the Meaning of Mr. *Franklin's* Note.

Whether such a Paper was delivered by him of his own Choice, or by Direction, he best knows; but we believe it is the First of the Kind, on any such great Occasion; and you will give us Leave to acquaint you, that the Importance of the Matter, the Preservation of Order and Decency between the Assembly and us, and the Necessity and Usefulness of a free Intercourse between us and them, seemed to require a very different Representation.

However, we overlooked that Piece of Disrespect, and applied ourselves to select, from all your public Votes and Transactions, what we judged might be the Intent and Meaning of the said Paper; and as we found the most material Parts thereof consisted of Matters, wherein the Powers of Government, and the Rights and Prerogatives of the Crown (intrusted to us) were concerned, we thought it right, and so acquainted Mr. *Franklin*, to take the Opinions and Advice of his Majesty's Attorney and Solicitor-General thereon, that we might act with the greatest Caution and Security in Matters of such great Importance.

At the Time Mr. *Franklin* delivered us his Paper, the long Vacation was begun, and the Lawyers gone into the Country, but the first Day they returned to Town, we laid all those Matters before those Gentlemen for their Opinions, which were so long delayed by Means of an Obstruction given by one of your Agents, that we could not obtain the same for a whole Year (wanting eight Days only) after the Papers had been laid before them.

As soon as we had been advised by those Gentlemen, we returned our Answer in Writing, signed by our Agent, to Mr. *Franklin*, and now send you hereto annexed a Copy of the said Heads of Complaint, and our Answer thereto.

We are always ready to receive Representations from the House of Representatives, on any Matter that requires Redress. As to the legal Rights of Government, or the Powers and Prerogatives of the Crown, we must support them, as a

Duty which we owe to the Crown, to the Nation in general, and to the Inhabitants of the Province in particular.

As to those Matters which concern our Property, we have a Right, and are so advised, to prevent any Injury being done thereto, and are not to be deterred from taking the necessary Care therein, by those Misrepresentations of, and unjust Charges against, us, which have been repeatedly printed, and are even glanced at in the Heads of Complaint presented to us, as if we had refused to contribute a reasonable Proportion to the Defence of the Country; an Injury the greater, because those who uttered it, knew that we had contributed a very considerable Sum to the Expence of the War, and, in the Opinion of many People, and from all the Information we can procure, more in Proportion than any Person in the Province.

As to any Matters which may relate to yourselves, we are ready to receive the fullest Information, and also to enter into free Conferences on all these several Subjects with any Persons of Candour, whom you shall authorize and empower for that Purpose; which Matter, we the rather mention to you, in regard that we having offered to settle the Draught of a Supply Bill with Mr. *Franklin*, he excused himself from joining therein, as not having Power to enter into Terms with respect to that one single Measure.

We shall always be open to Representation and Conviction, and we see no Matters remaining, but such as may, by the desirable Methods of free Conferences with Persons of Candour, and empowered for the Purpose, be well settled to mutual Satisfaction on both Sides, and to the welfare and Happiness of the Province, which we have most affectionately at Heart.

As Mr. *Franklin's* Paper contained an Expression of Desire that Harmony might be restored between the several Branches of the Legislature, and we are certain you cannot wish it more ardently than we do, we chose to mention what appears to us to be the readiest, the easiest, and the most desirable Method of attaining that happy End.

London, November 28, 1758.

THOMAS PENN,
RICHARD PENN."

HEADS OF COMPLAINT.

1. THAT the reasonable and necessary Power given to Deputy Governors of *Pennsylvania* by the Royal Charter, Sections fourth and fifth, of making Laws, with the Advice and

Consent of the Assembly, for raising Money for the Safety of the Country, and other public Uses, "according to their best Discretion," is taken away by Proprietary Instructions, enforced by penal Bonds, and restraining the Deputy from the Use of his best Discretion, though, being on the Spot, he can better judge of the Emergency, State and Necessity of Affairs, than Proprietaries residing at a great Distance; by Means of which Restraints, sundry Sums of Money, granted by the Assembly for the Defence of the Province, have been rejected by the Deputy, to the great Injury of his Majesty's Service in Time of War, and Danger of the Loss of the Colony.

2. That the indubitable Right of the Assembly to judge of the Mode, Measure and Time of Granting Supplies, is infringed by Instructions, that enjoin the Deputy to refuse his Assent to any Bill for raising Money, unless certain Modes, Measures and Times, in such Instructions directed, make a Part of the Bill; whereby the Assembly, in Time of War, are reduced to the Necessity of either losing the Country to the Enemy, or giving up the Liberties of the People, and receiving Law from the Proprietary; and if they should do the latter, in the present Case, it would not prevent the former, the restricting Instructions being such as that, if complied with, it is impossible to raise a Sum sufficient to defend the Country.

3. That the Proprietaries have enjoined their Deputy by such Instructions to refuse his Assent to any Law for raising Money by a Tax, though ever so necessary for the Defence of the Country, unless the greatest Part of their Estate is exempted from such Tax.—This to the Assembly and People of *Pennsylvania* appears both unjust and cruel.

The Proprietaries are now requested seriously to consider these Complaints, and redress the Aggrevances complained of, in the most speedy and effectual Manner, that Harmony may be restored between the several Branches of the Legislature, and the public Service be hereafter readily and fully provided for.

BENJAMIN FRANKLIN, *Agent for the Province of London, August 20, 1757.* Pennsylvania.

ANSWER to HEADS of COMPLAINT.

THE Proprietaries of *Pennsylvania* have well considered the Paper laid before them, called "*Heads of Complaint.*" They have also taken the best Advice they could procure upon the same; and some Answer would have been given long since, had not one of the Agents prevented the Proprietaries from obtaining their Counsel's Opinion and Advice thereon.

The Proprietaries could have wished, in order to that Harmony which they most sincerely desire, that the House of Representatives had sent some Address, Representation, or Memorial, pointing out clearly and distinctly any Grievances they thought themselves under; and that they had given as full Powers, as the Nature of such a Case would admit, to some Person of Candour, to enter into the Detail and full Discussion of those several Matters, which seem to be alluded to in the Heads of Complaint.

Had those Things been done, which the Proprietaries conceive to be the common and ordinary Methods of Proceeding in such Cases, many points might have been speedily adjusted to mutual Satisfaction, and particularly all such, wherein the Questions arise between the Proprietaries personally, and the House of Representatives; in which Instances the House may assuredly rely on the utmost Indulgences that can, with Justice or Reason, be desired.

As to others, wherein the Rights and Prerogatives of the Crown, intrusted to the Proprietaries, may be affected, it is hoped the House would not, for their own Sakes, desire the Proprietaries to attempt to give up any of those.

It admits of Observation, that the Heads of Complaint begin by transposing some Parts of the Royal Charter, as if that had, in explicit Terms, prescribed the Discretion of the Assembly to be made Use of in making Laws; the Proprietaries desire to be perfectly understood in this Matter; they do not so much as imagine, but that the Representatives of the People will, and must use a Discretion in choosing, whether they will, or will not, give their Advice and Assent to any Law; but the Charter (when read in its own Language) gives the Power to make Laws to the Proprietary, and his Deputy or Lieutenant, according to their best Discretions (always with the Advice and Assent of the Representatives) and does not run in the Terms set forth in the Paper of Complaint.

Persons not well inclined to Governors, or Government, may indeed desire that all Matters whatsoever should be left to the Discretion of a Lieutenant, on the Spot, whom the House might supply, or not, just as he should yield up that Discretion of his, more or less, to them; but as long as Instructions are constantly given to every Person intrusted with the Government of any *British* Colony (and Bonds also required from every such Person for Observance of such Instructions) as long as Instructions are constantly given to all Persons whatsoever, executing even the regal Government of his Majesty's Kingdoms during the Royal Absence; as long as these Proprietaries

are repeatedly commanded by the Crown, upon the Nomination of each successive Lieutenant-Governor, to give Instructions to such Lieutenant; and as long as a Lieutenant-Governor may, by his Misbehaviour (if left entirely to his Discretion) bring the Proprietaries Estate and Franchises into Danger; so long the Proprietaries must contend to give Instructions to, and take Bonds from, their Lieutenant-Governor.

The particular Matters wherein a Lieutenant-Governor should be instructed, make a very different Consideration, wherein the Proprietaries, and such Persons authorised as aforesaid, might surely put the same upon a reasonable Footing; the Proprietaries, however, cannot be of Opinion, that their Instructions were such as would have made it impossible to have raised Sums sufficient for the Defence of the Country, in Addition to the Forces sent from *Great-Britain*, supposing those Sums applied in a proper Manner.

The Proprietaries conceive, that the last Paragraph of the Complaint is extremely injurious to them, and very unjust, as it insinuates, that they would not contribute their Proportion to the Defence of the Province. It is true, they did instruct their Lieutenant-Governor not to assent to any Law, by which their Quit-Rents should be taxed; this they did, because they thought it not proper to submit the Taxing their chief Rents, due to them as Lords of the Fee, to the Representatives of their Tenants; but that there might not be the least Shadow of Pretence for accusing them of Cruelty and Injustice, they ordered *Five Thousand Pounds* to be paid for the public Service, out of the Arrears of that very Fund; and they leave it to the World to judge, whether it was not unjust and cruel in the late Assemblies, to tax them with refusing to contribute, only because it was not done in the Manner the Representatives of the People insisted on having it done: However, to take off all the Pretence of Clamour, they are very ready to have the annual Income of their Estate enquired into, and are as ready to contribute whatever the said Sum shall fall short of their Proportion of what has been laid on the Inhabitants in general, for every Part of their Estate, that is in its Nature taxable; but as an Equality is contended for, they do expect, if they have contributed more than their Proportions, (which they believe they have very greatly) that the Overplus shall be returned to them; and as the House of Representatives contend for their Right in disposing of their Property, and do not represent the Proprietaries so the Proprietaries conceive, and are advised, they themselves, and they only, have a Right

to judge when, and how, to dispose of their Estates and Properties.

The Heads of Complaint conclude well with Expressions of a Desire that Harmony may be restored between the several Branches of the Legislature, and the public Service be provided for; Propositions most desirable, and which the Proprietaries most willingly embrace with open Arms, and with open Hearts; The Rights and Powers of the Crown, and the executive Part of Government being preserved, and the Proprietaries reserving to themselves the Right of disposing of their Estate, there seems to be no such great Difference in Opinions as to other Matters, but what might be adjusted in a reasonable Manner with cool, temperate Persons, fully authorised for the Purpose. Had such Power been lodged here, it is probable many of the seeming Differences would have been settled; but as the Agent, who delivered the Heads of Complaint, declined the Settling here, of the Draught of one single Bill for raising a Supply, on Account of Want of Power so to do, as he alleged, the Proprietaries find themselves obliged to write to the House of Representatives, that in Case they are so well and happily disposed, they will forthwith authorise and empower, in as good a Manner as the Case will admit, some Persons of Candour to enter into free Conferences, and adjust those other Matters in the most agreeable Manner; in which the proprietaries assure the Representatives, and all the good People of the Province, they shall meet with the most cordial and affectionate Concurrence of the Proprietaries, as far as can, with Reason, be desired of them.

FERDINAND JOHN PARIS, *Agent for the London, November 27, 1758. Proprietaries of Pennsylvania.*"

Then the House adjourned to Three o'Clock, P. M.

The Petition of *Matthew Patten*, of *Conegocheague*, was presented to the House, and read, setting forth, that in the Year 1755, upon an Incursion of the *Indian* Enemy into the inhabited Parts of the Province, being obliged to abandon his Dwelling, and retire with his Family to a neighbouring Fort, for the Preservation of their Lives, the next Day his said Dwelling-house and Barn were burnt down by the *Indians*; and that some Time after an Order being issued by the Government for erecting a Fort on, or near, the Spot, where the Petitioner's late Dwelling stood, his Plantation had suffered, during the Building of said Fort, very great Damages, by the Destruction of his Fences, and Loss of several Stacks of Grain, besides the large Quantities of Timber cut from thence for the Use of the Fort; by Means whereof he hath ever

since been kept from his said Plantation, to the great Inconvenience, Impoverishment and Distress of his poor Family; and praying such Relief in the Premises, as the House may think due to him.

The House then resumed the Consideration of the Governor's Message, which was again read, and, after some Time spent therein, they adjourned to Ten o'Clock Tomorrow Morning.

February 28, 1759.

The Serjeant at Arms being called upon to give an Account of what had been done in relation to *William Moore*, Esq; and *William Smith*, who were at the last Sitting of the House ordered to be taken into his Custody, reported, that in Pursuance of the said Order he had used his Endeavours to take the said *William Moore*, but that, having absconded, he could not be found, and still continues at Liberty, without paying his Fees. The Serjeant further reported, that he had likewise endeavoured to take the said *William Smith* into Custody, but had been prevented, by his having lately embarked for *England*.

Ordered, That *William Moore*, Esq; who was at the last Sitting of the House committed into Custody of the Serjeant at Arms, for writing, signing and publishing a false, virulent and seditious Libel against a former Assembly of this Province, of which he hath yet made no Retracting, nor in any Manner given Satisfaction to the House, be for the said Offence, taken into Custody of the Serjeant at Arms attending this House.

The Committee of Grievances acquainting the House, that Representations had been made to them of sundry Abuses committed on a Number of the Inhabitants of the Province, tending to infringe their just Rights and Liberties, desired Leave to report the Particulars thereof in Writing, which was accordingly done, and being presented at the Table, was read, and follows in these Words, *viz.*

WE, Your Committee of Aggrievances, beg Leave to report to the House, as well upon our own Knowledge, as from the Information of several of our Constituents and Fellow Members, that many of his Majesty's Liege Subjects, Inhabitants of the Province of *Pennsylvania*, have, for some Time past laboured, and do still labour under the following grievous Hardships and Oppressions.

1. That a considerable Part of the Waggon, taken into his Majesty's Pay for the Use of the last Campaign, are either destroyed, or left behind; that great Numbers of Packhorses, as well as others, belonging to the Waggon, are dead, or lost

in the Service; that most of those returned were so low in Flesh, as to be in a great Measure useless, and that the Owners of such Horses and Waggons yet remain unpaid, to their very great Inconvenience and Loss, especially as some of them were obliged to advance large Sums of Money to the Drivers they employed, and for other Purposes in fitting out and equipping their Horses and Carriages, according to their respective Contracts.

2. That notwithstanding the Laws lately enacted in this Province for supplying his Majesty's Forces with Horses and Carriages, when and wherever required, yet both Officers and Soldiers have paid so little Regard thereto in procuring them, that some have terrified, abused, and insulted the Inhabitants, in many Parts of the Province, where they have been employed in this Service.

3. That in Violation of a positive Act of Parliament, for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, several Sections of which have been extended hither by an Act of General Assembly, some of the Military Officers have attempted, by Menaces, and other illegal Methods, to extort Billets from the Magistrates of the County and Borough of *Lancaster*, for quartering Soldiers on private Houses, but failing of their Purpose, have proceeded to open Violence, and thereby forced Numbers of his Majesty's Troops into the Dwelling-houses of the Inhabitants, taking their Beds and other Necessaries from them, for the Use of the Soldiers; by which Means one Family in particular hath been obliged to give up their own House, with a great Part of its Furniture, and seek Lodgings for themselves in the Houses of their Friends.

4. That the distressed Inhabitants of *Chester* County, notwithstanding their numerous Petitions, as well to the Governor, as to their Representatives, for Redress and Protection against the arbitrary, unjust and illegal Conduct of *William Moore*, Esq; one of the Magistrates for the said County, are yet subjected to his Power, by his being continued in a Commission, which he has frequently exercised to the Terror and Oppression of the People.

Submitted to the Correction of the House, by

JOSEPH FOX,
WILLIAM SMITH,
AMOS STRICKLAND,
GEORGE ASHBRIDGE,
ISAAC SAUNDERS,
JAMES BOONE."

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Report from the Committee of Aggrievances; and, after some Time spent therein,

Ordered, That Mr. *Hughes*, Mr. *Masters*, Mr. *Watson*, Mr. *Trimble*, Mr. *Wright*, Mr. *Allen*, Mr. *Boone* and Mr. *Beeting* be a Committee to prepare and bring in an Address to the Governor, representing the Aggrievances complained of in the foregoing Report.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 1, 1759.

The Committee appointed to prepare and bring in an Address to the Governor, reported, they had essayed a Draught for that Purpose, which they presented at the Table; and the same was read by Order.

Matthew Patten attending the House, pursuant to Order, in Support of his Petition, presented some Days ago, was called in, and, having answered such Questions as were put to him, withdrew.

Ordered, That Colonel *John Armstrong* have Notice to attend the House at Four o'Clock this Afternoon.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of their Address to the Governor, and, after some Alterations therein, ordered the same to be transcribed.

Colonel *Armstrong* attending, agreeable to Notice, was admitted, and having answered such Questions, respecting the Petition of *Matthew Patten*, as the House required Information in, withdrew.

Ordered, That the Case of the said Petitioner be referred to the Provincial Commissioners, for such Relief therein as they shall judge proper.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 2, 1759.

The Address to the Governor being transcribed, was compared at the Table, signed by Mr. Speaker, and follows in these Words *viz.*

May it please your HONOUR,

THE Duty we owe to our Constituents, and the late great Hardships imposed on them, put us under the disagreeable Necessity of representing to your Honour:

1. That a considerable Part of the Waggon, taken into the Pay of the Crown, for the Use of the last Campaign, are destroyed, or left behind; that great Numbers of the Pack-horses, as well as others belonging to the Waggon, are dead, or have been lost in the Service; that most of those returned are rendered, in a great Measure, useless; and that the Owners of such Waggon and Horses still remain unpaid, to their manifest Inconvenience and Loss, especially as some of them have been obliged to advance large Sums of Money to the Drivers they employed, and for other Purposes, in fitting out and equipping their Horses and Carriages, according to their respective Contracts.

2. That notwithstanding the Laws lately enacted in this Province, for supplying his Majesty's Forces with Horses and Carriages, when and wherever required, yet both Officers and Soldiers have paid so little Regard thereto, in the Manner of procuring them, that some have terrified, abused and insulted the Inhabitants in divers Parts of the Province, where they have been employed in this Service.

3. That in Violation of a positive Act of Parliament, for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, several Sections of which have been extended hither by an Act of General Assembly, some of the military Officers have attempted, by Menaces, and other illegal Methods, to extort Billets from the Magistrates of the County and Borough of *Lancaster*, for quartering Soldiers on private Houses, but failing of their Purpose, have proceeded to open Violence, and thereby forced Numbers of his Majesty's Troops into the Dwelling-houses of the Inhabitants, taken their Beds and other Necessaries from them, for the Use of the Soldiers; by which Means one Family in particular have been obliged to give up their own House, and seek Lodgings for themselves in the Houses of their Friends.

4. We further take the Liberty to represent to your Honour, that the distressed Inhabitants of *Chester* County, notwithstanding their repeated Representations to the Assemblies of this Province, and their Complaints against the arbitrary, unjust and illegal Conduct of *William Moore*, Esq; one of the Magistrates of the said County, are yet subjected to his Power, by his being still continued in a Commission which he has frequently exercised to the Terror and Oppression of the People.

These Aggrievances, may it please your Honour, are so well known, and so great, that we cannot but expect you will use your utmost Endeavours to relieve the Inhabitants of this

Province under your Administration, with all possible Expedition; and we shall proceed in granting Supplies with the same Zeal and Unanimity we have hitherto done, and, according to our best Abilities, co-operate with, and second the large Expence, and extraordinarily Succours, granted by the *British* Parliament, for carrying on the offensive Operations planned by his Majesty against his Enemies in *America*.

By the Letters your Honour has been pleased to lay before us from one of his Majesty's principal Secretaries of State, and from General *Amherst*, it is evident that no Time ought to be lost; and we therefore again intreat your Honour, that, in Discharge of the Duty you owe to the best of Kings, and to the People of this Province, over which you preside, you would speedily and effectually redress our Aggrievances, to the utmost of your Power.

Signed by Order of the House,

March 2, 1759.

ISAAC NORRIS, *Speaker*."

Ordered, That Mr. *Pearne*, Mr. *Masters*, Mr. *Chapman*, Mr. *Trimble*, Mr. *Wright*, Mr. *Smith*, Mr. *Boone* and Mr. *Beeting* wait on the Governor with the foregoing Address, and deliver the same.

The Members return, and report, they had been at the Governor's House, in order to deliver the said Address, but were acquainted at the Door by a Servant that his Honour was rode out, and would not be at Home till Evening.

Then the House adjourned to Three o'Clock, *P. M.*

The Petition of sundry Inn-keepers of the Borough of *Chester* was presented to the House and read, setting forth, that the Magistrates of the said Borough had billeted on them about a Hundred and Fifty of the King's Troops, and enjoined them to furnish the said Troops with the Necessaries usually allowed in Quarters; for which the Petitioners have received no Recompence, and praying such Relief in the Premises as the House may judge proper.—*Referred to further Consideration.*

Ordered, That the Members sent up to the Governor with the Address of the House in the Forenoon, do again wait on his Honour therewith, and deliver the same, if he be at Home.

The Members return, and report, they had waited on the Governor with the said Address, and delivered the same according to Order; to which his Honour was pleased to say, he would take it into immediate Consideration.

It being then moved that a Bill be brought in for Sale of the Province Ship of War, she proving but a heavy Sailer, and therefore unfit for the Service, after a considerable De-

bate, the Question was called for; but several of the Members moving that the previous Question, Whether the said Question shall be put at this Time? be first determined, the previous Question was put accordingly, and carried in the Negative.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 3, 1759.

A Petition from sundry Public House-keepers of the Town of *Reading* was presented to the House and read, setting forth the great Expence they have been at in furnishing a Number of Soldiers, billeted on them for several Months past, with the Necessaries required in Quarters; for which they have yet received no Compensation, and praying such Relief in the Premises as the House may think due to them.—*Referred to further Consideration.*

An Account from *Patrick Poe*, Inn-keeper, against Captain *Samuel Nelson*, for a Part of the said *Nelson's* Company of Provincials, billeted on him for some Months past, by Virtue of a written Order from *Samuel Price*, Lieutenant to the said Company, was laid before the House, with the said written Order, by one of the Members, and the same being read, were referred to further Consideration.

The Committee of Aggrievances reporting to the House, that they had some Days ago demanded of the said *Nelson*, a Sight of certain Orders given to him by the Governor, for impressing Horses and Carriages for the Use of the Army, and that he had neglected to comply with their said Demand.

Ordered, That a Warrant do issue to the Serjeant at Arms to bring the said *Nelson* before the Committee of Aggrievances, at such Hour as they shall appoint, to answer for his Contempt to the said Committee; and the said Warrant being made out accordingly, was signed by Mr. Speaker, and delivered to the Serjeant at Arms.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 5, 1759.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

March 6, 1759.

The Petition from *John Baldwin*, of *Kennet Township*, in *Chester County*, was presented to the House and read, setting forth, that a Number of Soldiers, belonging to Colonel *Mont-*

gomery's Highland Regiment, have been quartered on him without Billets from any Magistrate for that Purpose; that the said Soldiers have very much abused and insulted him and his Family, and will not be satisfied with such Necessaries as the Law allows them in Quarters, and praying such Relief in the Premises as the House may think due to him.

A Petition from the Burgesses, Assistants, &c. of the Corporation of the Borough of *Lancaster*, and other Inhabitants, was also presented to the House and read, setting forth, that the Residents within the said Borough, since the Beginning of the late Western Expedition, have been greatly oppressed by the extraordinary Number of Soldiers quartered upon their Public-houses, as well in marching through the Borough as when in Winter quarters, and praying that the House, in their next Grant of Supplies to the Crown, will be pleased to appropriate a Part thereof to the useful and necessary Purpose of erecting Barracks in the said Borough, whereby the Inhabitants may be relieved from the Burden complained of for the future.

The House taking into Consideration the Oppressions set forth in the several foregoing Petitions, from sundry Parts of the Province, arising from the great Number of his Majesty's Troops illegally quartered on the Public-houses therein, as also the Necessity of reviewing and amending the Laws of this Government intended to prevent such Mischiefs,

Ordered, That Mr. Leech, Mr. Masters, Mr. Owen, Mr. Carpenter, Mr. James Wright, Mr. Allen, Mr. Boone, and Mr. Beeting be a Committee to inspect such Laws of this Province relating to the Quartering of Soldiers, Hire of Carriages, and Regulation of the Provincial Forces, as are near expiring, and may require to be further extended.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to inspect such Laws as are near expiring, presented their Report to the Chair, in Writing, which was read, and follows in these words, *viz.*

WE the Committee appointed to inspect such of the Laws of this Province, relating to the Quartering of his Majesty's Troops, Hire of Carriages, and Regulation of the Provincial Forces, as are near Expiring, and may require to be continued for a longer Term, beg Leave to report,

1. That the Act, entitled, "*An Act for regulating the Officers and Soldiers commissioned and raised by the Governor for the Defence of this Province*," expires on the Twenty fifth of this Instant.

2. That the Act, entituled, "*An Act for regulating the Hire of carriages to be employed in his Majesty's Service,*" expires the Beginning of next Month by its own Limitation.

3. That the Act, entituled, "*An Act for extending several Sections of an Act of Parliament, passed in the Thirtieth Year of the present Reign, entituled An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,*" expires about the Last of next Month.

4. That the Act, entituled, "*An Act to render the Quartering of Soldiers on the Public-houses of this Province less burdensome,*" expired on the Twenty-fourth of March, 1758.

Submitted to the House by

THOMAS LEECH,
WILLIAM MASTERS,
GRIFFITH OWEN,
JOHN MORTON,
EMANUEL CARPENTER,
JAMES WRIGHT,
WILLIAM ALLEN,
JAMES BOONE,
LODOWICK BEETING."

The House taking into Consideration the above Report of the Committee, and having spent some Time therein,

Ordered, That Mr. *Leech*, Mr. *Masters* and Mr. *Morton* be a Committee, to prepare and bring in a Bill for extending and continuing the last mentioned of the said Acts, for such further Terms as the House may judge necessary.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 7, 1759.

Ordered, That Mr. *Owen* and Mr. *Strickland* wait upon the Governor, and acquaint him, the House desire to know whether he is yet prepared to give them an Answer to their late Address.

The Members return, and report, they had waited on the Governor, and delivered the Message of the House according to Order; in Answer to which his Honour was pleased to acquaint them, that had considered the said Address, and sent the Contents thereof, by Express, to General *Amherst*, and requested his Excellency would be here in Person as soon as possible; but in case that should be inconvenient to him, begged he would send his Answer by the Return of the Express, which the Governor expected might be on *Friday Evening* next at furthest.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 8, 1759.

The House taking into Consideration the Grant of Supplies to the Crown; after some Time spent therein,

Ordered, That the Commissioners of the several Counties within this Province, do forthwith cause fair Duplicates of the Returns and Assessments of their respective Counties to be laid before the Assembly for the Time being, as required and enjoined by a late Act of this Province, entituled, "*An Act for granting the Sum of One Hundred Thousand Pounds to his Majesty's Use, and for striking the same in Bills of Credit, and for continuing the several Acts of Assembly of this Province, herein after mentioned, for sinking the Bills of Credit so to be struck at the Times and in the Manner herein after directed and appointed.*" Also that the Clerk do immediately transmit a Copy of this Order to each of the said Commissioners, and give Directions that the Clause in the above recited Act, containing the said Injunction on them, be inserted at Length in the weekly Newspapers, together with this Order of the House.

An Address from the Commissioners for *Indian Affairs* was presented to the House, and being read, follows in these Words, *viz.*

To the REPRESENTATIVES of the Freemen of the Province of Pennsylvania, in GENERAL ASSEMBLY met,

The Address of the COMMISSIONERS for Indian Affairs; sheweth,

THAT the Stock appointed by the Law for carrying on the Trade with the *Indians*, which is now become more extensive by the late Acquisitions on the *Ohio*, is very insufficient for that Purpose, the Whole being already employed, and a considerable Cargo of Goods lately ordered from *England* on Credit, for which a Remittance should soon be made.

The Difficulties we have already experienced in forwarding Goods to the several Trading-houses, may, we conceive, be considerably lessened, by having a Power lodged with us to exempt and secure all Waggon, Horses and Drivers, from any other Service or Impress, whilst they are employed in the Service of the Trade; for without some such Power, or other effectual Method, the Waggon, Horses and Drivers, though actually engaged by us, may be taken away (as they have already been) by any Person having a Press Warrant, for any other Service.

The many Complaints we have received from our Agents at the Trading-houses, that spirituous Liquors are frequently sold to the *Indians*, notwithstanding the Law, and the many Inconveniencies arising from this Abuse, induce us to request the House will consider some more effectual Methods than those already provided for discouraging such an injurious Practice. The *Indians*, who are the greatest Sufferers, will not discover the Delinquents; and if they would, we do not conceive them to be sufficient Evidences in any Court of Law; we therefore think a further reward to the Inhabitants to make Information, with a more severe Penalty on the Delinquents, would be the most likely Way to discourage the Practice, or bring such Offenders to Justice.

We therefore request the House will take the Premises into Consideration, and make such Provision therein, together with such Alterations and Amendments in the said Law as to them may seem meet, for more effectually answering the good Purposes intended thereby.

Philadelphia, March 8, 1759

JOSEPH MORRIS,
JAMES CHILD,
EDWARD PENINGTON,
AMOS STRETTELL,
THOMAS WILLING,
WILLIAM WEST,
JOHN REYNELL,
JOSEPH RICHARDSON,
WILLIAM FISHER."

Then the House adjourned to Three o'Clock, *P. M.*

A Member having obtained Leave to bring in a Bill for preventing the Exportation of bad and unmerchantable Staves, Heading, Boards, &c. an Essay for that Purpose was presented at the Table, and read the first time.

A Petition from divers Inhabitants of the Borough of *Lancaster* was presented to the House and read, setting forth the great Expence they have been at, and the Abuses they have received, by Numbers of Soldiers taken from Taverns, where they had been billeted by the Burgesses, and forcibly quartered on them in their respective Dwelling-houses, and praying that Provision may be made for building Barracks in the said Borough, at the public Expence, by Means whereof the like Abuses on private Houses may be prevented for the future.

The House resumed the Consideration of the Address from the Commissioners for *Indian Affairs*; and, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *William Smith*, Mr. *Ashbridge*, Mr. *James Wright*, Mr. *John Smith*, Mr. *Boone*, and Mr. *Beeting* be a Committee to prepare and bring in a Supplement to the Act for preventing Abuses in the *Indian Trade*, &c.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 9, 1759

The House resumed the Consideration of the Bill for preventing the Exportation of bad and unmerchantable Staves, Heading, Boards &c. which was in Part read the second time.

A Petition from *James Claxton*, Innholder, of the City of *Philadelphia*, was presented to the House and read, setting forth, that notwithstanding he had made the Provision required by Law for quartering a certain Officer billeted on him, that the said Officer had refused his Quarters, and complained against the Petitioner to the Magistrates, who thereupon thought proper to fine him in the Sum of *Five Pounds*, which he apprehending to be an arbitrary and illegal Procedure, prays such relief therein as the House may think due to him.

Then the House adjourned to Three o'Clock, *P. M.*

The House proceeded in the Consideration of the Bill for preventing the Exportation of bad or unmerchantable Staves, Heading, &c. and, after some further Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

March 10, 1759

Ordered, That Mr. *Morton* and Mr. *James Wright* wait on the Governor, and acquaint him, the House desire to know whether he has yet received any Answer from General *Amherst*, respecting their Address, transmitted some Days ago to his Excellency by Express.

The Members return and report, they had waited on the Governor, and delivered their Message according to Order; to which his Honour was pleased to say, an Answer for the House was preparing, and he expected would be sent down to them before their Adjournment to the next Week.

The Governor, by Mr. Secretary, sent down a written Message to the House, with two Letters therein referred to; one a Copy of his Honour's Letter to General *Amherst*, dated the Third Instant; the other a Copy of his Excellency's Answer

thereto, of the Seventh following, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'I LAY before you a Copy of my Letter to General *Amherst*, in Consequence of your Address, and his Excellency's Answer, which I dare say will be agreeable to you; and I hope you will lose no more Time in taking the Supplies into your Consideration."

March 10, 1759,

WILLIAM DENNY."

To his EXCELLENCY GENERAL AMHERST, from Governor DENNY.

SIR,

Philadelphia, March 3, 1759.

INCLOSED is a Copy of an Address presented to me by the Assembly, with regard to various Grievances, which you will please to observe they insist should be redressed, before they take the Supplies into Consideration.

I have already sent you General *Forbes'* Letter to me, of the Thirtieth of *November*, in which, after giving the agreeable News of the Reduction of Fort *Duquesne*, he makes a Demand of Quarters; and now send you an Extract of my Letter in Answer thereto, that you may be acquainted with the Places capable of receiving the King's Troops in a commodious Manner.

The Waggon Account, after General *Braddock's* Defeat, was settled by Gentlemen commissioned by the Governor, at the special Instance of General *Shirley*, and am informed they settled that intricate Matter impartially, and saved the Crown a large Sum of Money.

If you approve of that Method, or any other you please to name, it shall be followed as far as concerns me, with all possible Expedition.

I also send you a Copy of a Letter of mine to General *Forbes*, to desire him to reinforce the Garrison at Fort *Augusta*, which I think is an Affair of great Importance, that requires immediate Attention.

Colonel *Bouquet* informs me, that General *Forbes* promised to relieve the several Garrisons on the Frontiers, and if they are not, the Consequence will be, that they will not be able to serve the next Campaign, especially the Provincials, who are neither paid nor clothed.

According to the Advices of the *Indians* now here, it is to be feared that the *French* and their *Indians* will attack Fort *Duquesne* as soon as the River is clear of Ice, having their Magazines ready at *Kuskusky*, and Places adjacent; from

whence your Excellency will see the Necessity of an immediate Reinforcement of the Garrison at *Pittsburg*, that not being able to stand a regular Attack.

As Carriages will be immediately wanted for the Support of the Troops there, I can assure you that such are in general the narrow Circumstances of the Country People, who are to supply Waggon, that none can be got till former Accounts are discharged.

General *Forbes* continues in a languishing Condition, and neither is or will be able to do any Business.—Affairs are in such a Situation, that I could wish it was convenient for your Excellency to visit this Place: If you cannot, please to send your Orders, and enable me to give an Answer to the Address by the Return of the Express. I have the Honour to be your Excellency's

Most obedient and most humble Servant,
WILLIAM DENNY."

His EXCELLENCY'S ANSWER to the GOVERNOR.

SIR,

New-York, March 7, 1759.

WITH your Letter, of the Third Instant, I had also the Copy of the Address presented to you by the Assembly, with regard to various Grievances, which they expect should be redressed, before they take the Supplies into Consideration.

I must own, from what they owe to the best of Kings, to their Country, and to themselves, I did not expect they would have started any Difficulties at this present important Crisis; but, on the contrary, that as it is their Duty, they would have most cheerfully proceeded on the Business so strongly recommended to them in Mr. *Pitt's* Letter, more especially, as Part of those Grievances are caused through the unhappy Indisposition of Brigadier *Forbes* (which could not be foreseen or prevented) who, had he been capacitated to attend the Business, would, no Doubt, have redressed them long ago; which, under the present Circumstances, I intend doing myself, so soon as I can get to *Philadelphia*; which will be in a few Days. Mean while I shall write to Sir *John St. Clair* to call in all the Accounts, and have them prepared for Examination, that no Time may be lost in clearing and settling them; upon which Assurances I trust they will no longer delay taking the Supplies into Consideration.

With regard to their Complaint against the Officers and Soldiers having been wanting in a due Regard to the Laws enacted for supplying his Majesty's Forces with Horses, and Carriages, and quartering of the Troops, I must observe, that

I believe they have themselves mistaken the Extent of those Laws; for it is not to be supposed that either the Officers or Soldiers would apply for more Carriages and Horses than the Service absolutely required, and where they could not obtain such upon a proper Application, it was certainly their Duty, and incumbent on them, for the Good of the Service, to impress them: And as to the Quartering of Soldiers on private Houses, that cannot either be avoided, were there are not public Ones sufficient for the Reception and proper Accommodation of the Troops; which I dare say was the Case at *Lancaster*; if therefore the Magistrates refused them Billets, they could not do less than make their Quarters good, which is an old Practice wherever the Seat of War lies.—Nay, even in *England*, in Case of a Deficiency of public Houses in the Country, where is the Seat of the Chancellor, he would have Soldiers billeted on him; and he has himself given it as his Opinion, that it was legal so to do; and indeed how would it be possible to carry on the Service, if such Provision was not made for the Troops, who, in Default thereof, must perish in the Streets, and consequently be disabled from answering the Ends they were raised for, all which speaks for itself: At the same Time I would not have the Assembly believe that I mean to refuse them Justice, or to screen the Troops, if they are guilty of any Irregularities; on the contrary, upon proper Proof of such, I shall take Cognizance of it, and order them all the Satisfaction they may have a Right to expect.

I agree with you in the Importance of having a Garrison at *Fort Augusta*, but as that Garrison, as well as all the others on the Frontiers of your Province, have constantly been garrisoned by Provincial Troops, I shall expect that you will garrison it with those of *Pennsylvania*, and that your Assembly will now out of Hand remove the Objection that they will not be able to serve the next Campaign by reason of their being neither paid or clothed."

The House resumed the Consideration of the Bill, for preventing the Exportation of bad, and unmerchantable Staves, Heading, &c. and having made some Progress therein, adjourned to *Monday*, next at Four o'Clock in the Afternoon.

March 12, 1759.

The House met pursuant to their Adjournment, and taking into Consideration the Governor's Message of *Saturday* last, together with his Honour's Letter to General *Amherst*, and his Excellency's Answer thereto, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

March 13, 1759.

The House resuming the Consideration of General *Amherst's* Answer (to the Governor's Letter, inclosing the Address of the Assembly) wherein his Excellency hath given Assurances that no Time shall be lost in discharging all Accounts of Waggon-Hire due to the Inhabitants of this Province, and that the other Aggrievances, represented in the said Address, shall be enquired into, and redressed, in Case due Proof thereof be made to him upon his Arrival at *Philadelphia*; after some Time spent therein,

Ordered, That the Committee of Grievances do forthwith collect such Proofs and Facts relative to the said Aggrievances, as have been communicated by Petitions to Assembly, or otherwise come to their Knowledge and report the same to the House.

Resolved, That as the Governor has not been pleased to give any Redress to, or even take Notice of, an Aggrievance complained of in the said Address, under which the Inhabitants of *Chester* County have long suffered, from his Continuance of *William Moore* in Commission as a Magistrate amongst them, the House will at some more convenient Time remonstrate to his Honour, upon so manifest a Delay of that Justice and Protection, which he has Power to afford, and undoubtedly owes to the oppressed Inhabitants of the said County.

Resolved, N. C. D. That the House will resolve itself into a Committee of the whole House this Afternoon, to consider of Ways and Means for granting Supplies to the Crown.

Then the House adjourned to Three o'Clock, P. M.

A Petition from *Peter Hunter*, Master of the *Pennsylvania* Frigate, was presented to the House and read, setting forth, that he had been some Time since engaged by Captain *Sibbald*, to pilot the said Ship up to *Philadelphia*, and accordingly proceeded with her as high as the *Narrows*, where the Captain receiving an Order, from the Commissioners, to stand out to Sea again, the Petitioner piloted the said Ship out, and afterwards brought her into Port, for which Service he has demanded his Pay of the Captain, but hath never yet received any, and therefore prays such Relief in the Premises as the House may think due to him.

The Order of the Day being read,

The House resolved itself into a Committee of the whole House, to consider of Supplies to be granted to his Majesty, for the Service of the current Year, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some

Progress in the Business before them, but had been interrupted therein for Want of a further Estimate of the Pay that hath accrued to the Provincial Forces, and other Increase of the public Debt, since the first of *January*, which they desire to be supplied with, and to have Permission to sit again.

Ordered, That Mr. *Pearne* and Mr. *Grubb* wait on the Governor, and request he will be pleased to furnish the House with the said Estimate of Arrears from the First of *January*, as soon as the same can be conveniently made out.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 14, 1759.

The Members appointed to wait on the Governor with the Message of Yesternight, reported they had delivered the same according to Order, and that his Honour was pleased to say, he would give Directions that the Estimate requested be made out, and laid before the House, as soon as possible.

Ordered, That the Clerk do furnish the Governor with a Copy of the Resolve of Yesterday, relating to *William Moore*, Esq; of *Chester County*.

Ordered, That the said Resolve, together with this Order of the House, be immediately published in the *Pennsylvania Gazette*, and certified by the Clerk.

The House then again resolved itself into a Committee of the whole House, to consider further of Ways and Means of granting Supplies to his Majesty, for the Service of the current Year, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some further Progress in the Business under their Consideration, and desired more Time, with Leave to sit again, in order to complete the same; which being granted,

The House adjourned to Ten o'Clock To-morrow Morning.

March 15, 1759.

The House according to the Resolution of last Night, resolved itself into a Committee of the whole House, upon the Consideration of Ways and Means for raising Supplies for the Service of the current Year, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that not having yet completed the Business before them, they desired further Time, and Leave to sit again, which was granted.

Then the House adjourned to Three o'Clock, *P. M.*

Mr. Speaker acquainted the House, he had been informed by the Secretary, that, pursuant to their Request from the Governor of an Estimate of Arrears, which have accrued since the first of *January*, Orders have been given to the Pay-master to make out the same, and wait on the House therewith; which he having done accordingly, the said Estimate was delivered by a Member at the Table, and being read, follows in these Words, *viz.*

ESTIMATE of ARREARS due to the Pennsylvania Forces, from the First of January, to the First of March, 1759, viz.

25	Companies Pay for two Months,	£ 7,537	10	0
2	Colonels, at <i>Fourteen Shillings per Day</i> , for two months,	84	0	0
2	Lieutenant Colonels, at <i>Seven Shillings per Ditto</i> ,	42	0	0
2	Majors, at <i>Five Shillings per Ditto</i> ,	30	0	0
2	Quarter-Masters, at <i>Four Shillings per Ditto</i> ,	24	0	0
2	Adjutants, at <i>Two Shillings per Ditto</i> ,	12	0	0
2	Chaplains, at <i>Six Shillings and Eight-pence per Ditto</i> ,	40	0	0
2	Surgeons, at <i>Seven Shillings and Six-pence per Ditto</i> ,	45	0	0
1	Surgeon at <i>Fort Augusta</i> , at <i>Seven Shillings and Six-pence per Ditto</i> ,	22	10	0
1	Commissary of Stores at <i>Fort Augusta</i> , at <i>Ten Shillings per Ditto</i> ,	30	0	0
		<hr/>		
		£ 7,867	0	0

Philadelphia March 15, 1759. JAMES YOUNG; Paymaster."

The House again resolved itself into a Committee of the whole House, to consider further of Supplies for the Service of the current Year, and having spent some Time therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had gone through the Business referred to them, and come to five Resolutions thereon, which they had directed him to report whenever the House will be pleased to receive the same.

Ordered, That the Report of the Committee be received immediately.

Mr. *Leech* then (according to Order) reported the said five Resolutions of the Committee of the whole House, which he read in his Place, and afterwards delivered at the Table,

where the same being also read, were agreed to by the House, and are as follow, *viz.*

Resolved, That immediate Provision be made for raising, paying and cloathing Two Thousand Seven Hundred effective Men (Officers included) to act in Conjunction with a Body of his Majesty's *British* Forces, and the Forces of *Virginia*, *Maryland* and the *Lower Counties*, on *Delaware*, in such offensive Operations as shall be carried on, and prosecuted by his Majesty's Commander in Chief in these Parts during the ensuing Campaign.

Resolved, That the Men and Officers already raised, and in the Pay of this Government, be a Part of the Number to be furnished by the foregoing Resolve.

Resolved, That it is the Opinion of this Committee that there be allowed to each able bodied Man, entering voluntarily into the said Service, the Sum of Five Pounds, as a Bounty for his Enlistment.

Resolved, That it is the Opinion of this Committee that there be allowed to each Officer, properly authorized, the Sum of *Twenty Shillings* for each ablebodied Volunteer he shall enlist into the said Service.

Resolved, That the Sum of *One Hundred Thousand Pounds* be given to his Majesty for the Uses aforesaid, and other Purposes for his Majesty's Service.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 16, 1759.

A Member for the County of *Lancaster* laid before the House certain Letters he had received from one *Moses Dickey*, of *Paxton* Township in the said County, who, by a late melancholy Accident, had his House burned, with all its Furniture, and the additional Misfortune of losing his Wife, a Child, and one other Person belonging to his Family, in the flames thereof, besides the Sum of *One Hundred and Seventy Pounds*, *Pennsylvania* Money, as appears by the Qualification of the said *Dickey* also produced in Assembly by the said Member, in order to obtain the Opinion of the House, whether, as by the said Accident, the Paper Currency of this Province is so much lessened, it may not be in the Power of the Government, without any Injustice to the Public, to relieve the said *Dickey* in this Part of so unfortunate a loss, by repaying him the said *One Hundred and Seventy Pounds*, as so much of the Sum now circulating in the Province is casually destroyed, before the same ought to be sunk by Law.

The House taking the Case of the said *Moses Dickey* into Consideration, and being desirous to relieve him under his late heavy Loss, as far as can be done with Safety to the Public, after some Time spent therein,

Resolved, That it be referred to the Trustees of the General Loan-Office to enquire into and collect all the Proofs of the said Loss which can be procured from the Books of the said *Dickey*, if not destroyed, and the Testimony of others, in order that the same may be laid before the House in some future Sitting for their Consideration.

The House then went upon the Consideration of Ways and Means for sinking their late large Grant to the Crown, and, having spent some Time therein, adjourned to Three o'Clock, P. M.

It being represented to the House, by one of the Provincial Commissioners, that Colonel *Burd* had acquainted him, Orders were given by Colonel *Bouquet* for marching Two Hundred of the Provincial Troops from the Frontiers to Fort *Ligonier*, for the better Defence of that Post, which is apprehended to be in some Danger of an Attack from the Enemy, and that it will be an Hardship upon the said Troops to march, or be forced upon further Duty, unless their Arrears of Pay are first discharged, whereby they may be enabled to procure such Cloathing, and other Necessaries, as they immediately want. The House took the same into Consideration, and, after some Time spent therein,

Resolved, That it be recommended to the Provincial Commissioners, as the last Grant from this Government to the Crown is wholly expended, to borrow immediately such a Sum of Money as may answer the above-mentioned Exigency, to be repaid as soon as further Supplies shall be raised for the public Service.

The House then resuming the Consideration of Ways and Means for sinking their late Grant to his Majesty's Use, as also the Proprietary Message to them, which was again read, and having spent some Time in Debate thereon, the following Questions were severally put to the Vote, *viz.*

1. Whether the Sum of *One Hundred Thousand Pounds*, voted by a late Resolve of this House to his Majesty's Service, shall be struck in Bills of Credit of this Province for immediate Use?—*Resolved in the Affirmative.*

2. Whether, in order to sink the said Bills of Credit so to be struck, a Tax shall be laid on all Estates real and personal, and Taxables within this Province?—*Resolved in the Affirmative, N.C.D.*

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Owen*, Mr. *Morton*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Allen*, Mr. *Boone* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, and for striking and sinking the same agreeable to the foregoing Resolves.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 17, 1759.

Application being made by the Committee of Grievances to the House for their Order to bring *Joseph Pugh* and *Bernard Hubley*, Burgesses, and *William Jevon*, Magistrate, of the County of *Lancaster*, before them, to answer such Questions as shall be put to them by the said Committee;

Ordered, That the said Burgesses and Magistrate, do attend the Committee of Aggrievances on *Wednesday*, the Twenty-first of this Instant, for the Purpose aforesaid.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

March 19, 1759.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock Tomorrow Morning.

March 20, 1759.

The Governor sent down, by Mr. Secretary, a written Message to the House with sundry Papers therein referred to, and the said Message being read, follows in these Words, viz.

GENTLEMEN,

"I LAY before you a Letter from Mr. Secretary *Pitt*, of the Twenty-ninth of *December* last, communicating his Majesty's Commands to renew and enforce, in the strongest Manner, the Necessity of a punctual Compliance with his last Orders, which have for some Time been under your Consideration; and again assuring you, that as soon as the Agents of the respective Provinces, duly authorised, shall produce the necessary Documents, the same shall, without Delay, be recommended to Parliament for a reasonable Compensation.

'I make no Doubt but you will now use the utmost Dispatch in raising the Supplies, especially as the Season is so far advanced, and the Time very near that was appointed by General *Amherst* for the Forces to be ready.

'It cannot be expected that the Recruits will be raised in Time, unless you give as large a Bounty as other Provinces have done.

'I likewise lay before you Admiral *Durell's* letter from *Halifax*, of the Fourteenth Instant, wherein he informs me of his having lost a great many Men by Death and Desertion, and desiring my Assistance, which I hope you will enable me to afford him, in raising a sufficient Number of Seamen to man the Squadron under his Command, which will be of the utmost Consequence to his Majesty's Interest in general, and particularly to these Colonies.

'Governor *Dobbs* having received an Account, that Application will be made to lay open *Hudson Bay Trade*, has wrote a Letter to me on that Subject, which you will please to consider, and favour me with your Opinion upon it.

March 20, 1759.

WILLIAM DENNY."

The Letters sent down with, and referred to in, the foregoing Message, from Mr. Secretary *Pitt*, Admiral *Durell* and Governor *Dobbs*, were severally read, and are as they respectively follow, *viz.*

The SECRETARY of STATE'S Letter.

SIR,

Whitehall, December 29, 1758.

IN transmitting to you the inclosed Triplicate of my Letter of the Ninth Instant, I have the King's particular Commands to renew and enforce, in the strongest Manner, the Necessity of a punctual Compliance with the Orders therein contained; and you will accordingly urge, in the most expressive Terms, to the Council and Assembly of your Province, the Importance of their exerting themselves in the present critical and decisive Moment; in which their own Interest and Security are so nearly concerned, that it would seem superfluous to add the further Motives of their Duty to the King, and of the Gratitude they owe to this Country, for the very great Expence and Succours supplied for their immediate Defence, and for the future Safety of all their Rights and Possessions in *America*; and the Levying the Men, to be furnished by the several Provinces, without any Delay, and in such Times, that they may not fail to be at the Rendezvous that shall be appointed for them, so as to be ready to commence the Operations by the First of *May*, is so essential, as well for preventing the extraordinary Efforts, which it is supposed the Enemy is preparing to make, to stop the further Progress of his Majesty's Arms in *America*, as for pushing with Success the ensuing Campaign; that it is the King's Pleasure that you do employ the utmost Diligence, and every Means in your Power, to forward and expedite this Service in the most effectual Manner, and to avoid any Disappointment happening from the

Slowness of the Levies, or from the Men, who shall be raised, not proceeding in due Time to the Rendezvous.

With regard to the Expences incurred by your Province last Campaign, I am further to acquaint you, that as soon as the Agents of the respective Provinces, duly authorized, shall produce the necessary Documents, the same will, without Delay, be recommended to Parliament for a reasonable Compensation, agreeable to the gracious Assurances which the King was pleased to allow me to give in my Letter of the Thirtieth of *December* last Year. I am, *SIR*,

Your most obedient humble Servant,
W. PITT."

ADMIRAL DURELL's LETTER.

Princess Amalia, Halifax Harbour, February 14, 1759.

Honourable SIRS,

AS the equipping, and completely manning the Squadron under my Command, so as to be ready for Service early in the Spring, may be of the utmost Consequence to his Majesty's Interest in general, and particularly to these his Colonies; and as by Death, and some Desertion, we have lost a considerable Number of Men since our being here, which requires to be recruited by a Supply of Seamen, if possible to be got: If not, shall be obliged to apply for Soldiers from some of the Regiments serving here, which I am apprehensive might prove detrimental to the Operations by Land the ensuing Campaign; I therefore think it most conducive to the Good of the Service, to make Application to his Majesty's Governors and Councils of the different Provinces for their Assistance, in raising such a Number of Seamen as they conveniently can, in such Manner as will be most agreeable to their several Governments.

And as I am sure the Governor and Council of the Province of *Pennsylvania* have his Majesty's Interest much at Heart, am satisfied every Thing in their Power will be done to forward the Service. On my part, as an Encouragement I promise that every able-bodied Seaman, who shall enlist to serve in this his Majesty's Squadron for the Term of Twelve Months, or more, shall immediately receive *Forty Shillings* Sterling Bounty, and be punctually discharged at the Expiration of the Term enlisted for; and further, that they shall not be carried to *Europe*, or the *West-Indies*, but shall be discharged in some of the Northern Colonies. I am, with great Regard, *Honourable SIRS*,

Your most obedient humble Servant,
PHI. DURELL."

*To the Honourable the Governor and Council
of the Province of Pennsylvania*

GOVERNOR DOBB'S LETTER.

SIR,

AS I am informed that the Merchants of *Britain* design to petition the Parliament this ensuing Session, to lay open the *Hudson's Bay Trade*, and get rid of that unjust Monopoly so prejudicial to the Merchants in general, and the Trade of *Britain*, and the *American Colonies*, by preventing our settling the Countries beyond that Bay, and extending our Fur-Trade and Fisheries; this being a proper Time, while we have a Ministry zealous to promote the *British Commerce*, and Improvement of our *American Colonies*.

Having been informed, that, upon the former Applications of the Merchants against the *Hudson's Bay Company's Monopoly*, the Northern *American Colonies*, if they had early Notice, would have given Orders to their Agents to join the Merchants in their Petition, I think it my Duty to improve a Measure so beneficial to *Britain*, and the Colonies, by acquainting you with it, to have the Sense of your Colony upon it, that if they approve of it, they may add their Weight to the Merchants Petition, in Case they find it proper to petition this Session. I am, with great Esteem, SIR,

Your Excellency's most obedient humble Servant,

ARTHUR DOBBS."

Edenton, December 7, 1758.

A Petition from *Conrad Weiser*, Indian Interpreter, with some Accounts thereto annexed, was presented to the House and read, setting forth, that he has for many Years served the Government in that Capacity, and always been regularly paid for his Trouble, till lately the Provincial Commissioners have refused Payment of his Accounts, both for Wages and Expences he hath actually been at in the Service; and praying the House would be pleased to consider his Case, and give Orders for the Discharge of his said Accounts.

Ordered to lie on the Table.

The House taking into Consideration that the Expences attending the Voyage of *Benjamin Franklin*, Esq; Agent for this Province, to *Great-Britain*, and for his Trouble and Charges there in soliciting our Affairs, pursuant to the Resolves of the late House of Assembly of the Third of *February*, and First of *April* 1757, are a Debt justly due from, and chargeable to, this Province, and that the same ought to be paid out of the next Supplies to be granted for discharging

the public Debts, and other Purposes for the King's Use, a Certificate thereof was accordingly drawn at the Table, and signed by Mr. Speaker, by Order of the House.

The Committee appointed to prepare and bring in a Bill for granting the sum of *One Hundred Thousand Pounds* to his Majesty's Use, &c. reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being in Part read, the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, &c. and the same being read through the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 21, 1759.

The Committee appointed to prepare and bring in a Supplement to the Act for preventing Abuses in the *Indian Trade*, &c. reported they had essayed a Draught for that Purpose, and delivered the same at the Table.

The House then took up the Supply Bill, which having read in Part the second time, they adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for granting the Sum of *One Hundred Thousand Pounds* to the King's Use, &c. which being read through the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 22, 1759.

Ordered, That Mr. *Pearne* and Mr. *James Wright* wait on the Governor, and request that he will be pleased to lay before the House Copies, as well of such Conferences as he hath lately held himself with *Indians* in our Alliance, as of those held with them by the late General *Forbes*, which may have come to his Knowledge.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported they had delivered the same agreeable to Order; and that his Honour was pleased to say, he would give Directions that Copies of all the late *Indian* Conferences should be laid before the House as soon as possible.

The Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, &c. being transcribed, was read the third time, and compared at the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 23, 1759.

A Representation from *William Edmunds*, one of the *Moravian* Brethren, and Township Assessor for *Bethlehem*, concerning some [supposed] Inequality in the Taxation of a Number of single Men belonging to the said Community, was laid before the House and read, praying such Relief therein as the House may think due to them. —*Ordered to lie on the Table for further Consideration.*

The Governor, by Mr. Secretary, sent down to the House a Transcript of *Frederick Post's* Journal on a Message to the *Ohio*, and Copies of all the Conferences held with the *Indians* by himself and General *Forbes*, or by Order and Authority of either of them, since the Treaty at *Easton*, in *October* last, which said Conferences being severally read,

The House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

March 24, 1759.

The Secretary having delivered to Mr. Speaker a Letter from General *Amherst* to the Governor, in order that the same might be laid before the House, it was done accordingly, and being read, follows in these Words, *viz.*

SIR,

New York, March 18, 1759.

IT having become necessary, by the Demise of Brigadier General *Forbes*, that an Officer of Rank and Experience should, without Loss of Time, proceed to *Pennsylvania*, to take on him the Command of his Majesty's regular Troops, and those to be raised by the Southern Provinces, to act in Conjunction for the Security and Defence of those Provinces, or otherwise as Opportunities shall offer, or the Exigencies may require; I have thought it for the Good of his Majesty's Service to appoint Brigadier General *Stanwix*, to that Command, and he does accordingly set out To-morrow for *Philadelphia*, to take upon him the same; I am therefore to request of you, that during such his Command, you will, upon every Emergency, correspond and co-operate with him in the same Manner as you are enjoined by Mr. Secretary *Pitt's* Letter to do with me, which must prove of great Benefit to the public Service, as from my Removal from hence into the back Country, whither I may be called soon, it might prove very prejudicial to the Safety and Security of the Southern Provinces to wait for the Answers to any of the Letters you

may have occasion to write to me in relation thereto; and I have accordingly directed Brigadier General *Stanwix* to correspond and co-operate with you in like Manner.

I have further desired Brigadier General *Stanwix* immediately to call in all the outstanding Accounts of last Campaign, and to cause them to be settled and satisfied in such a manner, that neither the Inhabitants nor the Crown may be Sufferers: As this Step must sufficiently evince the Desire I have of doing the Inhabitants of *Pennsylvania* all the Justice that lies in my Power, I dare trust they will no longer be so blind to their own Interest, as to defer granting the necessary Supplies for the raising and maintaining the Body of Troops that it is expected they will furnish for the Operations of the ensuing Campaign.

Brigadier General *Stanwix* will likewise consult you in regard to *Indian* Affairs, and do his utmost in settling every Thing to their Satisfaction, and his Majesty's *Indian* Interest; in which I must beg of you to give him all the Assistance he may stand in need of, and to furnish him with all the Lights you are capable of from your Experience in those Matters. I am with great Regard, *SIR*, Your most obedient humble
Servant,

JEFF. AMHERST."

To the Honourable WILLIAM DENNY, Esq;
Lieutenant Governor of Pennsylvania.

The Bill for granting the Sum of *One Hundred Thousand Pounds* to the King's Use, &c. being transcribed, and the Commissioners Names inserted,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Strickland* and Mr. *Chapman* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

March 26, 1759.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Supplement to the Act for preventing Abuses in the *Indian* Trade, &c., delivered some Days ago at the Table by the Committee appointed to prepare and bring in the same,

was taken up, by Order, and being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'clock To-morrow Morning.

March 27, 1759.

The Petition of *Peter Snyder*, deceased, with a subsequent one from his Widow, *Maria Catharina Snyder*, against *Benjamin Chapman*, Esq; late Sheriff for the County of *Bucks*, and now a Member of Assembly, was presented to the House and read, charging the said *Chapman* with Extortion in his said Office, and praying such Relief as the House shall think due to her.—Referred to the Committee of Grievances, to make the necessary Enquiries relative to the said Petition, and report the same to the House for their Consideration.

The House then proceeded to the second Reading of the Supplement to the Act for preventing Abuses in the *Indian Trade*, &c. which being gone through and debated, was ordered to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for preventing the Exportation of bad or unmerchantable Staves, Heading, Boards, &c. and, having spend some Time therein, adjourned to Ten o'Clock To-morrow Morning.

March 28, 1759.

An Address from the Managers of the *Pennsylvania Hospital* was presented to the House and read, setting forth, that the *Two Thousand Pounds*, contributed by a former Assembly towards building the said Hospital, being long since expended, the Managers have been reduced to the Necessity of applying most of the Contributions obtained from private Persons for these three last Years past, towards completing the Works, which hath of Course prevented an Increase of the capital Stock, the annual Interest whereof is the only Fund yet established for the Support of the Institution; that the Number of Patients applying from all Parts of the Province for Admittance, is lately much augmented, so that upwards of *One Thousand Pounds* are already expended more than the Interest of the capital Stock, and as the Benefits received by the Diseased are more generally known, it is apprehended the Increase of Patients, and additional Expences, must exceed any rational Hope the Managers can have of being able to support the House according to the original Design, without some further Assistance from the Government; that they would therefore beg Leave to recom-

mend the present State of the said Hospital to the serious Consideration of the House, not doubting the same benevolent Disposition which gave Rise to it, will still be manifested by the Assembly of *Pennsylvania*, in Support of so laudable a Foundation, becoming of the most extensive Service to this Part of the King's Dominions.

With the above-mentioned Address the Managers also laid before the House an Account of the Stock, Expences, &c. of the said Hospital for the last Year, which was read, and is as follows, *viz.*

WE, the Committee appointed by the Board of Managers of the Pennsylvania HOSPITAL to adjust the Accounts of the preceding Year, now expired, do REPORT,

That the Treasurer, Hugh Roberts, gives Credit, on Account of the Capital Stock, for

THE Balance remaining in his Hands the Second

of Fifth Month, 1757,	£102	13	0
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Cash received from the following Contributors, *viz.*

1757. July 4. Thomas Tilbury,	£ 10	0	0
Nov. 1. James Chatlin,	10	0	0
Dec. 14. Joshua Morris,	20	0	0
1758. Jan. 31. Joseph King,	10	0	0
April 26. Jacob Lewis, (his Subscription £10, and additional 40s.)	12	0	0

£ 62	0	0
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So that there now remains in his Hands, of

Capital Stock,	£164	13	0
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And on the Account of the Stock granted and contributed towards the Building of the new Hospital, the Treasurer Credits, for

The Balance in his Hands, adjusted the Second

of Fifth Month, 1757,	£158	16	1
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Cash received of the Provincial Treasurer, by the Orders of the sundry Contributors, the Signers of the Bills of Credit of two Emmissions, £ 162, and £ 198,

360	0	0
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1757. May 9. Received of Joseph Shute, his Contribution,	5	0	0
June 11. Received of Benjamin Rawle	10	0	0
July 15. Received of John Goodwin,	10	0	0
Nov. 27. Received of Benjamin Lay, ..	20	0	0
31. Received of Mary Loveday, her additional Contribution,	3	0	0

1758. Jan. 31. Received of Judah Foulke,	13	10	0
Feb. 28. Received of the Union Fire- Company, towards buying a Water Engine to extinguish Fire,	25	0	0
April 6. Received of Thomas Brooks, his Contribution,	10	0	0
11. Received of James Stoops, ..	10	0	0
13. Received of James Eddy,	10	0	0
26. Received of Robert Erwin, ..	10	0	0
Received of Isaac Norris, for a Legacy, given by Dr. Lloyd Zachary,	350	0	0
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	£ 995	6	1

And on the said Account he Debits,

Cash paid Samuel Rhoads, by two Orders of the Board of Managers,	£ 450	0	0
Paid for twelve leathern Buckets,	6	12	0
Paid sundry Labourers, Fence-makers, and for Posts, Rails, and Work done at the Hospital, as per Account, examined and allowed by the Board, the 27th of February last,	101	4	0
For sundry Locks, Hinges, Nails, and other Materials for the Building, per his Account, examined and allowed as above,	117	11	7½
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	£ 675	7	7½
So that there remains a Balance in his Hands on this Account,	319	18	5½
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	£ 995	6	1

On the Account of Interest Money, the Treasurer Debits,

The Balance of his last Account, the Second of Fifth Month, 1757,	£ 422	7	10½
Cash paid Elizabeth Gardiner, the Matron, by eleven Orders of the Managers, for the House Expences, &c.	395	0	0
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	£ 817	7	10½

And on the said Account he Credits,

Cash received for Interest of the Money lent on Land Securities,	£ 165	0	0
Ditto of sundry Contributors, for Interest of their Subscriptions,	32	12	6

Ditto of John Pearson, for Isaac Norris' Annuity,	6	0	0
Ditto of John Hallowell, for Rent of Part of the Hospital Lot, 1757,	3	0	0
Ditto of George Swan, in Part of Joseph Wharton's Annuity,	0	15	0
Ditto of Jacob Lewis, for Rent of the Part of the Hospital Lot, 1758,	6	0	0
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	£ 213	7	6

So that there remains due to the Treasurer on this Account,	604	0	4½
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	£ 817	7	10½

Thus it appears, on the Whole, there remained due to the Treasurer on the First of the Fifth Month, 1758, One Hundred Nineteen Pounds Eight Shillings and Eleven-pence besides what is due to him for the Interest of considerable Sums advanced by him at sundry times.

On a general State of the Accounts, it appears that
The Capital Stock of the Pennsylvania HOSPITAL.

Dr.

To 144 Bonds remaining due from sundry contributors,	£ 1,744	16	8
To 17 Subscriptions, for which Bonds are not yet given,	109	0	0
To 9 Bonds (8 of them with Land Security) for Money lent on Interest,	2,860	0	0
To Deeds in the Treasurer's Hands for a Lot near Germantown, and two Annuities of £6 Currency, and 35s. Sterling per Annum, valued at	174	0	0
	<hr/>		
	£ 4,887	16	8
To Balance remaining due this Account,	164	13	0
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	£ 5,052	9	8

Cr.

By 133 Subscriptions before the Settlement of Accounts, 1752,	£ 2,721	16	8
By 2 Ditto, 1753,	30	0	0
By 1 Ditto, 1754,	10	0	0
By 186 Ditto, 1755,	2,028	13	0

By 7 Ditto, 1756,	70	0	0
By 16 Ditto, 1757,	160	0	0
By 3 Ditto, 1758,	32	0	0
By 3 annual Subscriptions, amounting to £14. 10s. per Annum,			

£ 5,052 9 8

*Stock granted by Law, and contributed by private Persons,
for founding, building and furnishing the HOSPITAL*

Dr.

To Expences of Furniture, House-rent, &c. as adjusted in Account settled in 1757,	£ 420	5	4½
Furniture, &c. this Year, 1758,	30	9	4
	£ 450	14	8½

To Cash paid for the Lot on which the new Hospital is built,	500	0	0
To Cash paid for the Cost of the Building, so far as adjusted in the Year 1757,	2,350	0	0
Since paid, by Account adjusted 1758,	675	7	7½
To Cash paid Interest on £200. borrowed to carry on the Building, 1756,	12	0	0
To a Balance remaining due to this Account, (of which £319 18 5½ is in the Treasurer's Hands) and the Remainder to be made good out of the Account of Expence, when that Fund is Sufficient to answer it,	429	15	9
	£4,417	18	1

Cr.

By Cash of the Trustees of the Provincial Loan-Office,	£ 2,000	0	0
By Interest Money received for the said Sum from 1753 to 1756,	393	0	0
By Cash of sundry Contributors and Legacies, &c. applied to this Fund in Account settled in 1756,	£ 318	15	0
Ditto in 1757,	869	13	1
Ditto in 1758,	836	10	0
	£2,024	18	1
	£4,417	18	1

Household Expences of the Pennsylvania HOSPITAL

Dr.

To Balance of Account adjusted the Second of Fifth Month, 1757,	£ 578 16 1
To Provisions, Fire-wood, Wages, &c. to this First of Fifth Month, 1758,	472 17 3½
	<hr/>
	£1,051 13 4½

Cr.

By Interest Money received from the Contribu- tors,	£ 32 12 6
Ditto, from the Borrowers of Money lent,	165 0 0
By Cash received for Rents and Annuities, ...	15 15 0
Ditto for boarding Pay Patients,	100 11 0
Ditto from sundry Charity-Boxes, viz.	
The Assembly's,	£ 10 1 6
The Hospital's,	2 10 3½
	<hr/>
	£ 12 11 9½
	<hr/>
	£ 326 10 3½
By Balance expended more than the Income of our Funds.	725 3 1½
	<hr/>
	£1,051 13 4½

The foregoing Accounts were examined, and the Lists of Bonds, &c. therein mentioned, and particularly entered in the annexed Schedule, compared with the Originals, which, together with the Deeds for the Houses and Lands mortgaged for Money lent on Interest, and the Deeds for the Ground-rents and Lots, granted to the Contributors of the Pennsylvania Hospital, and the Seal of the Corporation, were found remaining in the Hands of Hugh Roberts (the Treasurer) the First Day of Fifth Month, 1758.

ISRAEL PEMBERTON,
JOSEPH RICHARDSON."

An ABSTRACT of CASES in the PENNSYLVANIA HOSPITAL, from the 26th of Fourth Month, 1757, to the 26th of Fourth Month, 1758.

	Admitted	Cured	Relieved	Escaped or discharged for Irregularity	Incurable	Taken out at Request of Friends	Died	Remaining
Consumption,	4	..	..	..	..	2	1	1
Contusion,	1	1	..	..	..	..	..	..
Exostosis,	2	2	..	..	..	..	..	..
Dropsy,	12	6	2	1	..	..	2	1
Eyes disordered,	4	1	..	..	..	..	..	3
Epilepsy,	1	1	..	..	..	..	..	..
Fevers,	3	1	1	..	..	..	1	..
Flux,	10	5	1	..	..	1	3	..
Fistula,	2	2	..	..	..	..	..	..
Fractures,	7	5	1	..	..	..	..	1
Liver ulcerated,	1	..	..	..	..	..	..	1
Lunacy,	23	2	1	3	..	6	1	10
Palsey,	1	..	..	..	..	..	..	1
Peripneumony,	1	1	..	..	..	..	..	..
Rheumatism,	9	3	3	1	..	..	..	2
Rupture,	1	..	1	..	..	..	..	..
Scorbutic and Scrophulous Disorders,	35	24	3	1	..	2	1	4
Surfeit,	1	1	..	..	..	..	..	..
Tympany,	1	1	..	..	..	..	..	..
Ulcers with Caries,	13	6	..	1	1	1	1	3
Wounded,	5	5	..	..	..	..	..	..
White Swelling,	1	1	..	..	..	..	..	..
In all,	138	68	13	7	1	12	10	27

A Petition from *William Edmunds*, in Behalf of the United Brethren residing at *Bethlehem*, and other Parts of their Settlement in the County of *Northampton*, was presented to the House and read, setting forth, that the said Brethren have paid, for several Years past, great Taxes for the sundry large Tracts of Land they occupy in six several contiguous Townships in the said County, for the valuable Improvements they have made thereon, for the considerable Stock of Cattle they

have raised, for the Trades they exercise, but particularly and chiefly on Account of the Number of single Men among them; that the said Lands, Goods and Chattels, are encumbered by Mortgages, and other Ways, by Means whereof the yearly Revenue of the said Estate is much lessened; and, nevertheless, the said Lands, in Comparison with other Lands, Goods and Chattels, in this Province, are rated to the full Value they could possibly bear; that the Brethren, settled on the said Lands, have, at this Time, to maintain Four Hundred and Twenty-eight Youth, from one, and under, to the Age of Sixteen Years, besides an Hundred and Thirty-four Persons employed in attending and educating them; from all which great Number, to be supported at the Charge of the said Estate, very little Labour can be expected; that the Brethren likewise maintain a considerable Number of Widows, superannuated and sick Persons, the Township never having been required to contribute any Thing towards the Expence of the Poor among them; that the whole Oeconomy of the said Brethren is an Institution of Charity, intended for the Promotion of the Gospel in *America*, not only among the white People, who want instruction, but also among the *Negroes* and Savages; that many of their Community are actually now employed in this, and other Provinces, as Ministers and School-masters, besides some as Missionaries to the *Negroes*, all principally at the Charge of the said Oeconomy, and that these, and other necessary Expences, are borne, for the most Part, by the Labour of the single Men amongst them, who receive no Wages for their Work, and cannot pay a Poll Tax for themselves; which Tax has therefore been hitherto paid out of the common Stock of the said Oeconomy, over and above the Taxes the said Lands and Goods are charged with; that the Petitioner, in Behalf of the Brethren, apprehends, by the Laws for laying the said Taxes, the single Men in the said Oeconomy are liable to the Payment of the said Poll Tax, if they cannot, in Consideration of the Premises, be relieved by a proper Act for that Purpose; that the Petitioner therefore prays the House will be pleased to give the said Brethren an Opportunity of laying a true State of their Property before them, and of being heard thereon; whereby the House may be enabled to form a better Judgment of the Grievance complained of, and afford such Redress as the particular Circumstances of the single Men in the said Community may appear to require.—Ordered to lie on the Table for the Perusal and Consideration of the Members.

The Supplement to the Act, entitled, "*An Act for preventing Abuses in the Indian Trade, &c.*" being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Ashbridge* and Mr. *John Smith* wait on the Governor therewith, for his Assent to the same.

The Members return, and report, they had waited on the Governor, and delivered the said Bill, according to Order; to which his Honour was pleased to say, he would take the same into immediate Consideration.

The House again took up the Bill for preventing the Exportation of bad or unmerchantable Staves, Heading, &c. and, after some Debate thereon, adjourned to Three o'Clock, *P. M.*

The Governor, by the Secretary, sent down the following verbal Message to the House, *viz.*

"That his Honour hath gone through the Supply Bill before him, and requests the House will furnish him with Copies of the Orders mentioned in the said Bill to be drawn on the Provincial Treasurer."

Ordered, That Mr. *Pearne* and Mr. *Smith* wait on the Governor, and acquaint him, in Answer to the foregoing verbal Message by the Secretary, that the House do not certainly know of any Orders on the Provincial Treasurer, which remain at present unpaid, but that the Clause in the Bill now before his Honour, respecting Draughts on the Treasurer, was transcribed from the Supply Bill passed by him last Year, and is intended as a provincial Security for the Payment of such Draughts, in Case it should hereafter appear that some of them have not yet been discharged.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 29, 1759.

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Orders, upon which his Honour was pleased to enquire, whether the like Provision had been made in the Supply Bill of Last Year; and being assured by the Members, it was, and in the same Words, he bowed, and appeared to be satisfied.

The Bill to prevent the Exportation of bad or unmerchantable Staves, Heading &c. being transcribed, was read the third time, and compared at the Table,

Resolved, That the said Bill do pass.

Ordered, That Mr. Roberdeau and Mr. Trimble wait on the Governor therewith, for his Assent to the same and acquaint his Honour, that the House desire to know when they may expect his Result upon the Supply Bill, which hath been some Days before him.

Then the House adjourned to Three o'Clock, P. M.

The Members appointed to wait on the Governor with the Bill to prevent the Exportation of bad or unmerchantable Staves, Heading, &c. and the Message of the House, in the Forenoon, reported, they had delivered the same according to Order; in Answer to which his Honour was pleased to say, he would take the said Bill into Consideration, and that the House might expect to hear from him towards Evening in relation to the other before him.

The House then resumed the Consideration of the Petition of William Edmunds, in Behalf of the Moravian Brethren, and, having spent some Time therein,

Ordered, That the said Petitioner be heard before the House To-morrow at Eleven o'Clock, and that he have Notice to attend accordingly.

The Governor, by Mr. Secretary, sent down the Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, &c. with a written Message to the House, and some Amendments on the said Bill, which were severally read, and the Message follows in these Words, viz.

GENTLEMEN,

'I HAVE carefully considered the Bill, entituled, "*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit by a Tax on all Estates real and personal, and Taxables within this Province,*" and now return it to you with a few Amendments, which I hope will receive your Approbation.

'I would willingly avoid any Dispute that might arise between us, and retard a Bill so necessary at this Juncture for his Majesty's Service, as well as the Safety and Benefit of this Province; wherefore I think it proper to inform you, that the Proprietaries are ready and willing to contribute their full Proportion of the Sums already granted, or hereafter to be granted to his Majesty's Use, if, on a fair and equal Taxation of their Quit-rents and appropriated Tracts, their former Order for the Sum of *Five Thousand Pounds* shall be found to fall short of such Proportion. If you

approve of this Offer and will prepare a separate Bill for that Purpose, I will heartily concur with you in it, and shall be glad to put a final Period to the Contest.

March 29, 1759.

WILLIAM DENNY."

The House taking the foregoing Message from the Governor, with his Amendments on the Supply Bill, into Consideration, and having spent some Time therein, the Question was put, Whether the House will adhere to their Bill? And the same being resolved in the Affirmative by a great Majority,

Ordered, That Mr. *Owens* and Mr. *Melvin* wait on the Governor with the said Bill, and acquaint him the House adhere to the same, and desire his Honour will pass it as it now stands.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 30, 1759.

The Members appointed to wait upon the Governor with the Supply Bill, and Message of the House reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would reconsider the said Bill.

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House, and read, setting forth and complaining of certain Damages they have sustained from the Soldiery quartered at the Barracks, who have broke down, burnt, and destroyed a great Part of the Fences about their several Lots and Pastures contiguous to the said Barracks, and praying such Relief in the Premises as the House may think due to them.

Ordered, That Mr. *Wayne* and Mr. *Beeting* wait on the Governor with the said Petition, and acquaint him, the House beg Leave to recommend to his Honour to enquire into the Complaints therein contained, and if the same shall appear to be justly founded, to lay them before the Commanding Officer of his Majesty's Forces for Redress.

William Edmunds attending, pursuant to the Order of Yesterday, was called in, and having been fully heard in Support of his Petition on Behalf of the *Moravian* Brethren, withdrew.

Then the House adjourned to Four o'Clock, P. M.

The Members appointed to wait on the Governor with the Petition from the Inhabitants of *Philadelphia*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had before heard of the Damages represented in the said Petition, and it gave him Con-

cern that such Abuses should be committed on the Inhabitants, but he would take their Case into immediate Consideration, and afford them all the Redress in his Power.

The House then resumed the Consideration of *William Edmunds's* Petition in Behalf of the *Moravian* Brethren, with other Papers since laid before them, shewing the State and Amount of Property belonging to the said Community; and, having spent some Time therein, the Question was put, Whether the Petitioner shall have Leave to bring in a Bill for exempting the single Men among the said Brethren from a Poll Tax, as established by the Laws now in Force? and the same was unanimously resolved in the Negative.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 31, 1759.

A Representation from Colonel *Armstrong* and Colonel *Burd*, In Behalf of the military Officers in their respective Battalions, was presented to the House and read, setting forth, that the said Officers, in the late Campaign to the Westward, were under the Necessity of purchasing, at their own Expence, several Horses for the Transportation of their Baggage, all which were either lost, or ruined in the Service; that when the Pay of the said Officers was first established, their Duty was not attended with any Charges or Burdens but what the said Pay might be esteemed a reasonable Compensation for; that now, however, the Nature of the Service is so changed, the same Pay will not afford them a proper Subsistence; that the Officers of a neighbouring Province, and all the regular Officers, were allowed Bat Horses, and Baggage and Forage Money, in the last Campaign, which enabled them to sustain the Losses; wherefore the Petitioners pray the House will make them a reasonable Allowance for such Additional Expences, and so far augment their Pay for the future, as they may think the late Change of Service justly requires.

The Governor, by Mr. Secretary, again sent down the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with the following verbal Message, *viz.*

"The Governor returns the Supply Bill, and commands me to acquaint the House, that he cannot give his Assent to it. He is, however, willing to pass a Bill, of the same Tenor with the one passed last Year, for granting the Sum of *One Hundred Thousand Pounds*."

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

April 2, 1759.

The House met, pursuant to their Adjournment.

The Governor, by Mr. Secretary, sent down a written Message to the House, with two Letters from the Honourable Mr. *Pitt*, dated at *Whitehall*; one of the Twenty-third of *January*, the other the Fifth of *February* following; also a Letter from General *Amherst*, of the Twenty-eighth ultimo, which were severally read, and are as they respectively follow, viz.

GENTLEMAN,

'BY the *Halifax* Packet I Yesterday received a Letter from the Right Honourable Mr. *Pitt*, one of his Majesty's principal Secretaries of State, of the Twenty-third of *January*, communicating to me his Majesty's Commands, which he was pleased to give upon receiving the Account of the Success of his Arms on the River *Ohio*.

'As this Province, the last Year, shewed great Zeal and Ardour in promoting the Measures conducive to that happy Event, which his Majesty is now desirous to improve to the best Advantage; and as his Majesty's faithful Subjects, in every Part of his Dominions, will, no Doubt, vie with each other in contributing their utmost to the vigorous Efforts of his Majesty for reducing his Enemies to reasonable Terms of Peace, I am persuaded you will exert yourselves, in giving your best and readiest Assistance to Brigadier General *Stanwix*, who is appointed to command in the Southern Provinces, and in answering his Majesty's other just Expectations, so warmly recommended to you by his Majesty's Minister, and his Excellency General *Amherst*.

'I also lay before you Mr. *Pitt's* Letter, of the Fifth of *February* last, wherein his Majesty has been pleased to notify to me the Appointment of Rear Admiral *Saunders* to be Commander in Chief of all his Majesty's Ships employed, or to be employed, in *North-America*; and further requiring me to use all legal Methods to supply him with such a Number of Sailors and Workmen from this Province, as shall at any Time be applied for. This naturally leads me to remind you of an Application made to me by Admiral *Durell* (who has the Command of the Fleet till the Arrival of Admiral *Saunders*) for a Supply of Seamen from this Province, which I have already communicated to you with this Letter. I must again press you to take this Demand into your immediate Con-

sideration, and let me have your Result upon it, that I may be enabled to return him an Answer.

April 2, 1759.

WILLIAM DENNY."

The SECRETARY of STATE's Letter.

SIR,

Whitehall, January 23, 1759.

I AM now to acquaint you, that the King has been pleased, immediately upon receiving the Account of the Success of his Arms on the River *Ohio*, to direct the Commander in Chief of his Majesty's Forces in *North-America*, and Brigadier General *Forbes*, to lose no Time in concerting the properest and speediest Means for completely restoring, if possible, the ruined Fort *Duquesne*, to a defensible and respectable State, or for erecting another in the Room of it, of sufficient Strength, and every Way adequate to the great Importance of the several Objects of maintaining his Majesty's Subjects in the undisputed Possession of the *Ohio*; of effectually cutting of all Trade and Communication this Way between Canada, and the Western and Southern Indians; of protecting the *British* Colonies from the Incursions to which they have been exposed since the *French* built the above Fort, and thereby made themselves Masters of the Navigation of the *Ohio*; and of fixing again the several *Indian* Nations in their Alliance with, and Dependence upon, his Majesty's Government. And the Province, under your Command, is so particularly and nearly interested in the speedy Execution of this great and salutary Work, that it will be Matter of no small Surprise, and must reflect the greatest Blame on their Conduct, should they, in any Point, fail to assist, to the utmost, the King's Officers, who shall be employed on this Occasion; I have therefore the King's Commands to signify to you his Pleasure, that you should use your utmost Endeavours with our Council and Assembly, to induce them to exert every Means in their Power for collecting and forwarding the Materials of all Sorts, and the Workmen which shall be wanted, and which the Commander in Chief in *North-America*, or Brigadier General *Forbes*, shall require for this Service; and that your Province do also furnish every other Assistance of Men, Cattle, Carriages, Provisions, &c. &c. that shall be necessary for the Support and Maintenance of the King's Forces, that shall be employed in this essential Work, as well as in all further Operations to be undertaken in those Parts the ensuing Campaign. I am,

SIR, Your most obedient humble Servant,
W. PITT."

To the Honourable William Denny, Esq; Lieutenant-Governor of the Province of Pennsylvania.

The SECRETARY of STATE's second Letter.

SIR,

Whitehall, February 5, 1759.

THE King having pleased to appoint Rear-Admiral *Saunders* to be Commander in Chief of all his Majesty's Ships employed, or to be employed in *North-America*, I am to signify to you the King's Pleasure, that you do transmit to Rear-Admiral *Saunders* all Intelligence relative to his Department, in the same Manner as you was directed to do, by my Letters of the Nineteenth of *February*, and Thirtieth of *December*, 1757, to the former Commanders in Chief of his Majesty's Ships. And it is also the King's Pleasure, that you do, on any Application from Admiral *Saunders*, or the Commander in Chief of the King's Ships, use all legal Methods to supply him with such a Number of Sailors and Workmen from your Province as he shall, at any Time, require for his Majesty's Service. I am,

SIR, Your most obedient humble Servant,

To the Honourable William Denny, Esq; Lieutenant-

Governor of the Province of Pennsylvania.

W. PITT."

Letter from his EXCELLENCY GENERAL AMHERST

SIR,

New York, March 28, 1759.

WITH my Dispatches from Mr. Secretary *Pitt*, this Moment received by the *Halifax* Packet, came the Inclosed for you; by which you will see that the King has been pleased to direct me, and Brigadier General *Forbes*, to lose no Time in concerting the properest and speediest Means for completely restoring, if possible, the ruined Fort *Duquesne* to a defensible and respectable State, or for erecting another in the Room of it, of sufficient Strength, and every Way adequate to the great Importance of the several Objects of maintaining his Majesty's Subjects in the undisputed Possession of the *Ohio*; of effectually cutting off all Trade and Communication this Way between *Canada* and the Western and Southern *Indians*; of protecting the *British* Colonies from the Incursions to which they have been exposed since the *French* built the above Fort, and thereby made themselves Masters of the Navigation of the *Ohio*; and of fixing again the several *Indian* Nations in their Alliance with, and Dependence upon, his Majesty's Government; for all which wise and good Purposes, it is his Majesty's Pleasure that you should use your utmost Endeavours with your Council and Assembly, to induce them to exert every means in their Power for

collecting and forwarding the Materials of all Sorts, and the Workmen, which shall be wanted, and which the Commander in Chief in *North-America*, or Brigadier General *Forbes* shall require for this Service; and that your Province do also furnish every other Assistance of Men, Cattle, Carriages, Provisions, &c. &c. that shall be necessary for the Support and Maintenance of the King's Forces that shall be employed in this essential Work, as well as in all further Operations to be undertaken in those Parts the ensuing Campaign.

These Directions being so full and explicit, leaves me nothing further to add to them, than my warmest Wishes and Hopes that they will meet with a vigorous and speedy Execution, as well on the Part of your Province, as those of *Virginia* and *Maryland*, who are equally with you so particularly and nearly interested therein, and to whom the same is likewise recommended in the strongest Terms.

And as I have already signified to you, that I had appointed Brigadier General *Stanwix* to succeed Brigadier General *Forbes* in the Command to the Southward, and desired you to correspond and co-operate with him on every Matter relative to the Service in those Parts, I am now to request of you, that all the Aid and Assistance required of you by Mr. Secretary *Pitt's* within Letter, in Favour of the late Brigadier *Forbes*, may be granted to Brigadier *Stanwix*, to enable him, in the most expeditious Manner, to execute the before-mentioned great and salutary Work, or any other that may be found necessary for the Good of the Service; and that you would look upon whatever he may ask or require of your Province, during his Continuance in that Command, as coming from myself. I am, with great Regard,

SIR, Your most obedient humble Servant,

To the Honourable William Denny, Esq; Lieutenant-Governor of the Province of Pennsylvania.

JEFF. AMHERST."

The House resuming the Consideration of the Supply Bill returned by the Governor, and, having spent some Time therein, the two following Questions were severally put, *viz.*

1. Whether a new Bill shall be brought in, exempting the Proprietary Estate from Taxation in the Manner that other Estates in this Province are taxed?—*Resolved unanimously in the Negative.*

2. Whether a Committee shall be appointed to prepare a new Bill for granting Supplies to his Majesty, wherein the Proprietaries shall be taxed in their full Proportions of the

Sums already granted, and to be granted, by the said Bill; and wherein their former free Gift of *Five Thousand Pounds* shall be allowed for the same, which should the said Gift exceed, the Overplus thereof shall be refunded by the Province; but if it falls short of their Proportions as aforesaid, the Deficiency shall be made up by the said Taxation of their Estates? —*Resolved in the Affirmative by a great Majority.*

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Watson*, Mr. *Hunt*, Mr. *Webb*, Mr. *M'Connaughy*, Mr. *John Smith*, Mr. *Boone* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty, by a Tax on all Estates real and personal, and Taxables within this Province, pursuant to the foregoing Resolve.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 3, 1759.

The House met, and adjourned to Four o'Clock, *P. M.*

The Committee appointed to prepare and bring in a new Bill for granting to his Majesty the Sum on *One Hundred Thousand Pounds*, &c. reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time,

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 4, 1759.

The House resuming the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. the same was in Part read the second time, and debated by Paragraphs.

Then the House adjourned to Three o'Clock, *P. M.*

The House again took up the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, and the same having been read the second time, and debated, was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 5, 1759.

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Kirkbride* and Mr. *Saunders* wait on the Governor therewith for his Assent to the same and acquaint his Honour, the House desire to know when they may expect his Result upon the two Bills which have been some Days before him.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 6, 1759.

The Members appointed to wait on the Governor with the Supply Bill, and Message of the House reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and the House might expect his Result on the others before him in a few Days.

Then the House adjourned to Four o'Clock, *P. M.*

Ordered, That Mr. *Masters*, Mr. *Pearne*, Mr. *Watson*, Mr. *Morton*, Mr. *Saunders*, Mr. *Allen*, Mr. *Boone* and Mr. *Beeting* be a Committee to visit the *Pennsylvania* Hospital, and report the State thereof to the House.

The Committee appointed to collect and report to the House such Proofs and Facts relative to the Complaints of the private House-keepers in the Borough of *Lancaster*, who have had Soldiers illegally quartered on them, delivered the same in Writing, which was read, and is as follows, *viz.*

THE Committee of Grievances, in Pursuance of the Order of the House of the Thirteenth of *March* last, have received several Affidavits of the Inhabitants of the Borough of *Lancaster*, in Support of their Aggrievances heretofore complained of, with respect to the billting of Soldiers on private Houses, contrary to the express Prohibitions of several Sections of an Act of Parliament extended Here; and are of Opinion, the Oppression is of so extraordinary a Nature, that it calls for immediate Redress; and therefore we beg Leave to submit the said Affidavits to the Consideration of the House."

The said Affidavits, respectively subscribed, with the Names of *Joseph Pugh*, *Bernard Hubly*, *William Jevon*, *David Stout* and *John Trick*, Inhabitants of the said Borough of *Lancaster*, were then read by Order, and the House taking the same into Consideration, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Kirkbride*, Mr. *Morton*, Mr. *Saunders*, Mr. *John Smith*, Mr. *Boone* and Mr. *Beeting* be a Committee to prepare and bring in a Message to the Governor respecting the Aggrievances set forth in the said Affidavits.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

April 7, 1759.

The Governor, by Mr. Secretary, sent down the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds, &c.* with some Amendments thereon, and a written Message to the House, which being read, follows in these words, *viz.*

GENTLEMEN,

'MY Instructions do not permit me to accede to a Bill for the Taxation of any Part of the Proprietary Estate, unless Commissioners are therein appointed for that Purpose; nor can I conceive it reasonable that they should be obliged to submit their Estates to an Assessment by Persons, in whose Election or Nomination they have no Share, and be thereby excluded from a Privilege you have, with Justice, granted to all the Freeholders and Voters in this Province.

'Every Moment's Delay of the Supply Bill, at this critical Juncture, does great Violence to the vigorous Plan of Operations concerted by our gracious Sovereign for the ensuing Campaign; I hope therefore you will no longer retard it, by insisting on a Matter which I have no Power to comply with, but leave it to be adjusted in a separate Bill, according to the Proposal I made you in my late Message on that Subject.

April 7, 1759.

WILLIAM DENNY."

The Governor's Amendments on the Supply Bill, returned by the Secretary, being then read, and the Question put, Whether the House will adhere to the said Bill? the same was resolved in the Affirmative by a very great Majority.

Ordered, That Mr. *Leech*, Mr. *Masters* and Mr. *Fox* be a Committee to prepare and bring in a Draught of a Message to accompany the Return of the Supply Bill to the Governor.

Then the House adjourned for Half an Hour.

The House met again, and the Committee appointed to draw up a Message to the Governor, reported an Essay for that Purpose, which being read, and agreed to, was ordered to be transcribed, and follows in these Words, *viz.*

May it please your Honour,

On the Twenty-fourth of *March* last we sent you a Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, for raising, paying and cloathing Two Thousand Seven Hundred effective Men, to act in Conjunction with a Body of his Majesty's *British* Forces, and the Troops of *Virginia, Maryland* and the Lower Counties, in such offensive

Operations as should be carried on and prosecuted by his Majesty's Commander in Chief in these Parts during the ensuing Campaign; to which your Honour refused your Assent.

By your Message of the Twenty-ninth of *March* you were pleased to inform the House, that the Proprietaries were ready and willing to contribute their full Proportions of the Sums already granted, or to be granted, to his Majesty's Use, if, upon a fair and equal Taxation of their Quitrents, and appropriated Tracts, their former Order for the Sum of *Five Thousand Pounds*, should be found to fall short of such Proportions; we thereupon immediately formed a new Bill, and complied with your Request, as far as we could conceive it consistent with the Justice we owe to the Country we represent, and sent this Bill to your Honour on the Fifth Instant; so that if the Time Presses, or his Majesty's Service receives an Injury, the Delay must arise from the Instructions, wherewith our Proprietaries have thought fit to restrict your Honour in this most necessary Article of granting Supplies to his Majesty at this critical Conjunction.

Your Honour has made no Objections to our present Bill, except in that Part only, which regards the Taxing the Proprietaries Estate, which we have reconsidered, and still think most equitable and just, and have accordingly, by an almost unanimous Vote of our House, adhered to the Bill; we do therefore once more send up this Bill for your Concurrence.

April 7, 1759.

*Signed by Order of the House,
ISAAC NORRIS, Speaker."*

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor with the foregoing Message, and return the Supply Bill just sent down by the Secretary, and acquaint his Honour, that the House desire to know when they may expect his Result upon the two Bills which have been some Time before him.

The Committee appointed to prepare and bring in an Address to the Governor upon the Oppressions complained of by the Inhabitants of the Borough of *Lancaster*, reported, they had made an Essay for that Purpose, which a Member of the Committee first read in his Place, and then delivered at the Table.

The Members appointed to wait on the Governor with the Message of the House, and to return the Supply Bill, reported, they had done the same according to Order; to which his Honour was pleased to make no other Reply, than that

the Bills presented to him some Days ago were still under his Consideration.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 9, 1759.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock Tomorrow Morning.

April 10, 1759.

The House resuming the Consideration of their Address to the Governor, relating to Aggrievances complained of by the private House-keepers of the Borough of *Lancaster*, on whom Soldiers have been illegally quartered for some Months, the same was again read; and, after some Debate thereon,

The House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration, that the Time limited by his Excellency General *Amherst* for levying the Troops to be furnished by this Province is nearly expired, and that their Bill for granting the Sum of *One Hundred Thousand Pounds* to the Crown, for raising, paying and cloathing the said Troops, has lain some Days before the Governor for his Consideration and Concurrence, the following Message was wrote, and sent up to his Honour, pressing his Assent to the said Bill, without further Loss of Time, *viz.*

May it please your Honour,

THE Bill for granting Supplies to his Majesty has now lain a considerable Time before you for your Assent, and, as we are informed, General *Amherst* is obliged to return in a few Days, we hope you will give him the Satisfaction of seeing with what Chearfulness we have granted all his Demands from this Province; especially as we have Reason to believe, that, if this Province does not furnish the same Number of Troops as last Year, the General is of Opinion the intended offensive Operations, and building a proper Fort, and making Posts effectually to cover the Country, cannot be carried on without weakening the Army, that is to act elsewhere, too much; and that he is therefore determined, if this Province does not exert itself in raising the same Number of Men as last Year, and that immediately, to give over the Thoughts of acting on this Side, which cannot be done without raising those Troops, with any Prospect of Success; and that he will reinforce the Army to the Eastward with the Troops he intended to have detached to have acted here.

The Consequences of these Resolutions of General *Amherst* must, unavoidably, have great Weight with your Honour; and

you will consider, whether the Proprietary Instructions to refuse your Assent to any Bill which shall tax their Estates, except in the Manner they have prescribed by a separate Bill, which we conceive is a Mode unjust and unknown to a *British* Constitution, can vindicate your Conduct before our gracious Sovereign, and the Nation, who have granted such liberal Supplies for Support of their Colonies in *America*; which, if you continue to adhere to those Proprietary Instructions, rather than that the Estate of a Subject to the best of Kings shall be subjected to an equitable Taxation, must fail, as far as regards this Province.

We therefore call upon you, as the Time for opening the Operations of this Campaign will not admit of any further Delay, as you regard your Duty to the King, and to the Province over which you have the Honour to preside, that you will no longer refuse your Assent to the Bill now before you.

Signed by Order of the House,

April 10, 1759.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Pearne* and Mr. *Hunt* wait on the Governor, and deliver the foregoing Message.

The Members return, and report, they had been at the Governor's House, but being acquainted he was gone to General *Amherst's* Lodgings, they waited on his Honour there, and delivered the Message according to Order; to which he was pleased to say, he would take the same into immediate Consideration.

The House again took up their Address to the Governor, upon the Complaints of the Inhabitants of Lancaster, which being read a second time, was agreed to, and ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 11, 1759.

The Address to the Governor, upon the Complaints of the Inhabitants of *Lancaster*, being transcribed, was read, signed by Mr. Speaker, and is as follows, *viz.*

May it please your Honour,

A CONTINUANCE of the distressed Situation and Circumstances of the Inhabitants of the Borough of *Lancaster*, calls on us, in the most earnest Manner, again to remonstrate to your Honour,

That in manifest Violation of the Sections of an Act of Parliament, which have been extended here 'by an Act

of General Assembly, and of other wholesome Laws, and the civil Authority of the Government, the military Officers have, by Force, quartered a large Number of Soldiers on the private Houses of that Borough, committing great Outrages on the People, by Seizing and depriving them of their Possessions and Property, assaulting their Persons (Magistrates not excepted) in a violent Manner, and by obliging them to pay Sums of Money for their Quarters, or to receive the Troops into their private Families, notwithstanding the Magistrates offered to provide convenient Houses for the Accommodation of the rest of the Troops, which were not billeted on the public Houses.

That this has been done in an unequal Manner, to the great Terror of the Inhabitants; those whom the Officers have thought proper to favour, have been favoured, and those whom they have thought proper to distress, have had a double Portion, though by no Means so able to bear the Burdens as others who are exempted; that the Inhabitants still continue under this grievous Load and Oppression.

That there has not been the least Cause or Necessity, that we know of, to justify these arbitrary Measures; a commodious Set of Barracks being erected near the City of *Philadelphia*, capable of receiving all his Majesty's Troops in the Province; that building them in that Place only was occasioned by the Officers refusing to quarter them any where, but in or near the said City, though formerly warmly solicited to send a Proportion of the Troops to *Lancaster* in particular, and the several other Towns in the Province; otherwise a Part of the Barracks would have been built in that Borough.

That a Number of Rooms in the Barracks are now, and have been, during the Winter, empty, and ready to receive all the Soldiers thus oppressively, unnecessarily and illegally quartered in that Place.

We are further obliged to remonstrate to your Honour, that the loyal and affectionate Zeal the Inhabitants of the Borough and County of *Lancaster* have shewn for the Service of the Crown, in giving their utmost Aid and Assistance towards carrying on the Western Expedition, which has been happily crowned with Success, ought, in our Opinion, at least to have exempted them from such Treatment.

That the said Borough and County have voluntarily furnished more than one Half of the Waggon required for supplying the King's Troops with Provisions, for which the

Deputy Quartermaster General declared they merited the Thanks of the House.

That without this large Supply of Carriages the Western Expedition must have failed, and many ill Consequences attended the military Operations in these Parts.

After such Proofs of the Loyalty and Zeal of these People for the Service of the Crown, we cannot but apprehend the Oppression and severe Treatment of that Borough will greatly discourage them, if not render them incapable of doing the same Service to his Majesty for the future.

These Aggrievances are so great, and have been so long continued, that we entreat your Honour to consider not only the ill Effects to the Inhabitants, but to his Majesty's Service, which a Continuance of them must occasion, and that you would exert your utmost Endeavors to obtain that Relief which is due to the People entrusted to your Care and Protection.

Signed by Order of the House,

April 11, 1759.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Saunders* and Mr. *Webb* wait on the Governor, and deliver the foregoing Address, together with the Affidavits of *Joseph Pugh*, *Bernard Hubley*, *William Jevon*, *David Stout* and *John Frick*, taken in Support of the Aggrievances complained of in the said Address.

The Members return, and report, they had waited on the Governor, and delivered the Address of the House, with the aforesaid Affidavits; upon which his Honour was pleased to say, he would take them into his immediate Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Petition from sundry Tavern-keepers of the Borough of *Lancaster*, for Payment of Money due to them for quartering Soldiers, and, having spent some time therein, adjourned to Ten o'Clock To-morrow Morning.

April 12, 1759.

The House met, and adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, again sent down the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with a written Message. The Secretary also returned the Bill, entituled, *A Supplement to the Act, entituled, "An Act for preventing Abuses in the Indian Trade, &c.* with one Amendment thereon, (to which the House agreed) and a verbal Message, that his Honour was ready to pass the said Bill whenever presented to him for that Purpose.

And the said written Message from the Governor being read, follows in these Words, *viz.*

GENTLEMEN,

'BEFORE I take Notice of your two last Message of the Seventh and Tenth Instant, give me Leave to remind you, that many Months before I received your first Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty, I repeatedly called upon you to raise such new Supplies as might be necessary to discharge the large Arrears due to the Provincial Forces for their Service the last Campaign, and to secure our late Acquisitions to the Westward, and to carry into Execution the vigorous Measures concerted by our gracious Sovereign for the Protection of his *American Colonies*. I could not, however, obtain a Bill from you till the Twenty-fourth of *March* last. I was sincerely disposed to forward so necessary a Bill, and therefore waved many Objections that I might, with great Justice, have made against many material Parts of it; particularly the Clause wherein it was declared that the last *One Hundred Thousand Pounds* was expended by my Consent, when, in Fact, no Accounts had ever been produced to me, and I was an utter Stranger to them. On the Twenty-ninth of the same Month I returned you the Bill with but two principal Amendments; one calculated to explain, and set in clear and explicit Terms, the Mode of taxing the yearly Income or Value of the Estates of the People, which, in that Bill, and all the former Laws, was obscure, and liable to different Constructions and Interpretations, which must necessarily occasion Confusion, and the Taxes to be laid unequally. The other Amendment I proposed was the exempting the Proprietary Estate in that Bill; but I, at the same Time, acquainted you, by a written Message, that the Proprietaries were ready and desirous to contribute their full Proportion of the Sums already granted, or thereafter to be granted to his Majesty, if, on a fair and equal Taxation of their Quit-rents and appropriated Tracts, their former Order of *Five Thousand Pounds* should be found to fall short of such Proportion, and offered to concur with you in a separate Bill for that Purpose. I had no other Motive in proposing a separate Bill, than to expediate the Supply Bill, which otherwise, from such an Amendment as would include the Proprietaries Estate, and prescribe the Mode of Taxation, must be retarded greatly, to the Prejudice of the King's Service, and the common Cause. On receiving the same Bill from you a second time, I informed you, by a verbal

Message, that, to put an End to all Disputes at so critical a Season, I was willing to pass a Bill of the same Nature and Import with the late Laws for granting Supplies, passed in this Province the preceding Years; to this I conceived you could have no just Cause of Exception, as you knew those Laws had received the Royal Assent, and that the Agents for this Province, in *England*, were instructed to procure the Decision of our Superiors there, what Parts of the Proprietary Estate was legally subject to Taxation, and settle the Mode of doing it. You were pleased, however, to send me up a new Bill, subjecting the Proprietary Estate to be rated by Assessors, chosen by the People only; in Answer to which, in a Message of the Seventh Instant, I expressly told you, that I was restricted, by my Instructions, from giving my Assent to a Bill for the Taxation of any Part of the Proprietary Estate, unless Commissioners were therein appointed for that Purpose; notwithstanding which, to my great Astonishment, you have returned me the same Bill, intimating in your Messages, that you will suffer this Province to be exposed to all the dreadful Train of Miseries and Calamities that must inevitably attend it, in case his Majesty's regular Troops are withdrawn from it, and our own Forces disbanded, and the vigorous Plan of Operations concerted by our gracious Sovereign for our Protection, and reducing his Enemies to reasonable Terms of Accommodation, to be defeated, unless I will pass the Bill, contrary to my Duty, Power, and the Trust reposed in me. How far such a Conduct will be a Proof of your Zeal, and Chearfulness to comply with the Demands of his Majesty, I must leave to his Determination, if you, by adhering to this Bill, put me under the disagreeable Necessity of laying the Matter before him.

'In the present critical Situation of Affairs, your resuming a Dispute, which you have so often waved in your former Grants to the Crown, and which you know I have not Power to settle with you on the Terms you insist upon, are but weak Proofs of the Sincerity of your Professions.

'If the Proprietary Instruction is injurious or oppressive, can you be doubtful, Gentlemen, of obtaining Redress before his Majesty, by whom the Matter must be decided? If you have no such Distrust, why do you unseasonably take this Occasion to obstruct the passing so important a Bill? It is true Gentlemen, I dread the Consequences of your persisting in your late Resolution; I am sensible, that if you will not grant the Supplies expected of you, we shall not only be compelled to abandon *Pittsburg*, and all the advanced Posts we

gained in that Quarter, at a vast Expence to the Crown, the last Campaign, but we shall lose all Credit with the *Indians*, and our Frontiers must be again left naked, and exposed to the Incursions and Ravages of our Enemies: But if this unhappy Province must feel the Weight of these Miseries, I shall have the Satisfaction to reflect, that I had done every Thing in my Power for their Protection, and that none of the Blood that may be spilt will lie at my Door.

'Before I conclude, let me remind you, Gentlemen, that the Lives of your Constituents are now in your Hands, and depend upon your final resolution with regard to this Bill; that your Duty to his Majesty, yourselves, and your Country, demand of you, that the Supplies required of you be granted without further Delay, and that you ought no longer to insist on a Point which I have so frequently told you, I have it not in my Power to comply with.

April 12, 1759.

WILLIAM DENNY."

The foregoing Message from the Governor being again read, and considered the Question was put, whether the House will adhere to their Bill? and the same was resolved in the Affirmative, *Nemine Contradicente*.

Ordered, That the Supplement to the *Indian Trade-Bill*, returned by the Governor, be immediately engrossed.

Ordered, that *Mr. Pearne* and *Mr. Melvin* wait on the Governor with the Bill for granting Supplies to the Crown, and acquaint him, that the House have taken into their Consideration his Message of this Day, and adhere to the said Bill by a unanimous Resolve; they therefore again return it to the Governor for his Assent; which, should he continue to withhold, all the Consequences he has been pleased to mention in his said Message, that may attend his Refusal, will, in their Opinion, justly lie at his Door: And also, that the House have agreed to the Governor's Amendment on the Bill, entitled, "*A Supplement to that Act, intituled, An Act for preventing Abuses in the Indian Trade, &c.*" and have ordered the same to be engrossed accordingly, that it may be passed into a Law.

The Members return, and report, they had waited on the Governor, and delivered the Supply Bill, with the verbal Message of the House; to which his Honour was pleased to say, he would take them both into his immediate Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 13, 1759.

The Bill entitled, "*A Supplement to the Act, entitled, An Act for preventing Abuses in the Indian Trade, &c.*" being engrossed, according to Order, was compared at the Table.

The House then taking into Consideration, that the Provincial Ship of War hath, upon Experience, been found an heavy Sailer, and in other Respects unfit for the Purpose of protecting the Trade of this Province, as also that an Opportunity now offers of purchasing another Vessel more suitable for the said Services;

Ordered, That the Officer appointed to collect the Duties of Tonnage, &c. imposed for the Support and Maintenance of the said Ship of War, do lay an Estimate of the Amount of those Duties, from their Commencement to the present Time, before the House.

Ordered, That Mr. *Hughes*, Mr. *Kirkbride* and Mr. *Wayne* be a Committee to prepare and bring in a Bill to enable the Commissioners of the said Ship to dispose thereof, and vest the Monies arising from such Sale in the Purchase of another, better adapted to the Purpose aforesaid.

Then the House adjourned to Three o'Clock, P. M.

The Committee appointed to prepare and bring in a Bill of Sale of the Provincial Ship of War, &c. reported, they had made an Essay for that Purpose, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Nine o'Clock To-morrow Morning.

April 14, 1759.

The Supplement to the Act, entitled, "*An Act for granting to his Majesty a Duty of Tonnage, &c.*" being again taken up, was in Part read the second time, and debated.

Ordered, That Mr. *Baynton* and Mr. *Strickland* wait on the Governor, and acquaint him, the House desire to know when they may expect his Honour's Result upon the Supply Bill under his Consideration, as they have for some Days past had little or no other Business before them, of sufficient Importance to keep them sitting.

The Members return, and report, they had waited on the Governor, and delivered their Message according to Order; to which his Honour was pleased to say, the Supply Bill was a Matter of great Consequence to the House, as well as himself, and therefore claimed his most deliberate Consideration; but that as soon as he came to any Result thereon, they should be acquainted with it.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

April 16, 1759.

The House met, pursuant to their Adjournment.

Mr. Speaker brought into the House a Ticket he had just received from the Governor, which was read, and is as follows, *viz.*

"The Governor's Compliments to the Speaker, and he will pass the Bill for Supplies, and that for encreasing the Fund for the *Indian Trade*, this Afternoon, at Five o'Clock, or later, if more convenient to the House."

Ordered, That Mr. *Hughes* and Mr. *Roberdeau* wait on the Governor, and acquaint him, that the House being informed he is ready to pass the Supply Bill, and the Supplement to the Act for preventing Abuses in the *Indian Trade*, &c. whenever presented to him, they will attend him for that Purpose, as soon as he shall be pleased to return the Supply Bill to them.

The Members return, and report, they had waited on the Governor, and delivered the Message of the House according to Order; to which he was pleased to say, he had given Directions to the Secretary to wait on the House with the said Bill at Five o'Clock this Afternoon, in order to his passing it, with the Supplement to the *Indian Bill*, to Night; but having since been informed by the Secretary, that it would be impracticable to pass them this Evening, as the Supply Bill is not engrossed, he should appoint some Members of Council to compare the said Bills at Eleven o'Clock To-morrow, and attend himself in the Council Chamber precisely at Twelve, to enact the same into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 17, 1759.

The Governor, by Mr. Secretary, sent down the Supply Bill, with a verbal Message that his Honour will pass the same, as soon as it can be engrossed, and presented to him for that Purpose.

Ordered, That the said Bill be engrossed with all possible Dispatch, and that Mr. *Roberdeau* and Mr. *Pearne* join with such Members of the Governor's Council as he shall appoint, to compare the engrossed Copy thereof with its Original; as also the engrossed Copy of the Supplement to the Act for preventing Abuses in the *Indian Trade*, &c.

The House then taking into Consideration the Governor's Support, after some Debate thereon,

Resolved, That the Sum of *One Thousand Pounds* be allowed and given to the Honourable WILLIAM DENNY, Esq; Lieutenant-Governor of this Province, for his Support for the current Year.

Resolved, That an Order be drawn upon the Trustees of the General Loan-Office, and signed by Mr. Speaker, for the above Sum, and that the same be presented to the Governor.

The Members appointed to compare the engrossed Copies of the said Bills with their Originals, reported, they had done the same, and found them to agree.

Ordered, That Mr. Morton and Mr. Wayne do see the Great Seal affixed to the said Bills, after they are enacted into Laws, and the same deposited in the Rolls Office.

A Message by Mr. Secretary :

SIR,

"The Governor required the Attendance of Mr. Speaker, and the House, immediately in the Council Chamber."

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour with the Bill, entituled, "*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all Estates real and personal, and Taxables within this Province.*"—Also the Bill entituled, "*A Supplement to the Act, entituled, An Act for preventing Abuses in the Indian Trade; for supplying the Indians, Friends and Allies of Great-Britain, with Goods at more easy Rates; and for securing and strengthening the Peace and Friendship lately concluded with the Indians inhabiting the Northern and Western Frontiers of this Province.*"

To both which Bills his Honour had been pleased to give his Assent, by enacting the same into Laws: And the Speaker further reported, that he had then, in the Name of the whole House, presented the Governor with their Order on the Trustees of the General Loan-Office for the Sum of *One Thousand Pounds*, for his Support, which his Honour had received very kindly, and was pleased to return his Thanks to the House for the same.

Then the House adjourned to Four o'Clock, P. M.

The Members appointed to see the Great Seal affixed to the Laws enacted in the Forenoon, reported, that *Richard Hockley*, Esq; the Keeper thereof, having resigned his Office, they had got the said Seal affixed only to the Supply Bill, but had ap-

pointed to attend the Governor at Twelve o'Clock To-morrow, to see the same done to the Supplement to the Act for preventing Abuses in the *Indian Trade, &c.*

The House then resumed the Consideration of the Supplement to the Act for granting to his Majesty a Duty upon Ships, &c. and having spent some Time therein, adjourned to Ten o'Clock To-morrow Morning.

April 18, 1759.

The House resuming the Consideration of the Report of the Committee appointed some Time ago to inspect such Laws of this Province as are near expiring, and may require to be renewed and continued for a further Term, after some Time spent therein,

Ordered, That Mr. *Pearne*, Mr. *Watson*, Mr. *Grubb* and Mr. *Webb* be a Committee to reconsider and amend the Act for regulating the Hire of Carriages to be employed in his Majesty's Service, and report their Amendments thereon to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to see the Great Seal affixed to the Supplement to the Act for preventing Abuses in the *Indian Trade, &c.* and the said Law deposited in the Rolls Office, reported the same had been done according to Order.

The Committee appointed to revise and amend the Act for regulating the Hire of Carriages, &c. reported some Amendments thereon to the House, which, with the said Act, being once read, were, by special Order, read the second time, and ordered to be transcribed.

The Act for extending several Sections of an Act of Parliament, passed in the Thirty-second Year of his Majesty's Reign, entituled, "*An Act for punishing Mutiny and Desertion &c.*" being also brought in by the Committee, with some Alterations thereon, the same were once read, and being, by special Order, read the second time, were ordered to be transcribed.

The Act for regulating the Officers and Soldiers in the Pay of this Province, was likewise brought in by the Committee, and being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 19, 1759.

The Petition of *Edward Murphy* was presented to the House and read, setting forth, that his Wife and Daughter had, without any reasonable or just Cause, suffered corporal Punishment, and sustained several Losses, by the Orders and arbi-

trary Sentence of *John Armstrong*, Colonel of one of the Battalions of the Provincial Forces, and praying such Compensation and Relief, as the House may think due to them.

The Bill for regulating the Officers and Soldiers in the Pay of this Province, being read the second time, was transcribed for a third Reading.

The Carriage Bill, with the Bill for extending several Sections of an Act of Parliament for punishing Mutiny and Desertion, &c. being also transcribed, the said three Bills were read the third time, and compared at the Table.

Resolved, That the same do pass.

Ordered, That Mr. *Baynton* and Mr. *Kirkbride* wait on the Governor therewith for his Concurrence, and acquaint him, the House desire his Result upon the said three Bills, together with the Lumber Bill, which hath been some Time before him, with all convenient Dispatch, as the House, having gone through with all the Business of Importance recommended to them, incline to adjourn, at the Close of the Week, to some future Day, which they will give Notice of to the Governor.

The House then resumed the Consideration of the Supplement to the Tonnage Act, and, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The Governor having sent a Letter to Mr. Speaker from *Levi Trump*, Commanding Officer at Fort *Augusta*, dated the Eighth of this Instant, containing some uncertain Intelligence brought by *Job Chillaway*, from the *Onondago* Council to *Teedyuscung*, respecting the wavering Disposition of the *Shawanese Indians* towards the *English*, the said Letter was laid before the House, and the same being read, and considered,

Ordered, That Mr. *Hughes* and Mr. *Masters* do wait on the Governor with the said Letter, and acquaint him, that though the House think the *Indian* Intelligence it contains is extremely vague, and deserves little Credit, yet, as this Government has concluded a Peace with *Teedyuscung*, Chief of the *Delawares*, in Behalf of his Tribe, and the said *Shawanese*, and two of his Sons are now in *Philadelphia*, the Members are of Opinion, it might be seasonable and advantageous to send a Message, with a small Present, to *Teedyuscung* by them, in Testimony of the Remembrance of his Brethren the *English*, and to assure him of the fixed Resolutions of this Government to adhere inviolably to, and punctually perform all the Engagements entered into with him, and the several Tribes he represented at the late Treaty of Peace held at *Easton*.

The Members return, and report, they had delivered Captain *Trump's* Letter to his Honour, with the foregoing Message

from the House, according to Order; and that he was pleased, in Answer, to say, the sending a Message and Present to *Teedyuscung*, with the friendly Views proposed by the House, had occurred to him as a very proper and prudent Measure; but he could not be of Opinion with them, that *Teedyuscung's* Sons were the most suitable Persons to be employed on the Occasion, and would therefore enquire for some other *Indians* more fit for such a Trust, and lose no Time in complying with the Recommendation of the House.

The House then proceeded in the Consideration of the Supplement to the Tonnage Act, which being read through the second time, and debated, was ordered to be transcribed for a third Reading.

Upon Motion,

The Petition from sundry Inhabitants of the Borough of *Lancaster*, praying that Barracks may be erected in the said Borough for the better Accommodation of his Majesty's Troops, and for relieving the private as well as public Houses therein from the Burden of a great Number of Soldiers, long quartered on them, was again read, and being considered,

The House adjourned to Ten o'Clock To-morrow Morning.

April 20, 1759.

The Supplement to the Act, entituled, "*An Act for granting to his Majesty a Duty of Tonnage, &c.*" being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Morton* and Mr. *Trimble* wait on the Governor therewith, for his Assent to the same, and enquire when the House may expect his Result upon the several other Bills under his Consideration.

The Members return, and report, they had waited on the Governor with the said Bill, and delivered the same, together with the Message of the House; to which his Honour was pleased to say, his Council were then sitting, and had under their Consideration the several Bills lately presented to him, which should be returned to the House with all convenient Dispatch.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by the Secretary, sent down to the House the five following Bills, *viz.* "*An Act to prevent the Exportation of bad or unmerchable Staves, Heading, Boards and Timber.*" "*An Act for regulating the Hire of Carriages, to be employed in his Majesty's Service.*" "*An Act for regulating the Officers*

and Soldiers in the Pay of this Province." "A Supplement to the Act, entituled, "An Act for granting to his Majesty a Duty of Tonnage on Ships, &c." And "An Act for extending several Sections of an Act of Parliament for punishing Mutiny and Desertion &c. with a verbal Message, that his Honour was ready to pass all the said Bills, whenever presented to him for that Purpose.

Ordered, That Mr. *Hunt* and Mr. *Hogeland* wait upon the Governor, and acquaint him, that the said Bills will be engrossed, and ready to receive his Honour's Assent, at Twelve o'Clock To-morrow, if the Governor will be pleased to appoint some Members of Council to assist in comparing the engrossed Copies of the said Bills with their Originals.

The Members return, and report, they had delivered the Message of the House according to Order; and that his Honour was pleased to say, he would appoint a Member of Council to compare the said Bills at Eleven o'Clock To-morrow, and would be himself at the Council Chamber by Twelve, in order to enact the same into Laws.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 21, 1759.

Two of the five Bills, returned in the Afternoon by the Governor, being engrossed were read the third time, and compared at the Table; and the other three being intended to be passed in their transcribed Copies, for want of Time to engross them,

Ordered, That Mr. *Pearne* and Mr. *Kirkbride* meet the Members of Council, to compare the said two engrossed Bills with their Originals.

The Members return, and report, they had collated the said Bills, and found them to agree.

Ordered, That Mr. *Leech* and Mr. *Baynton* do see the Great Seal affixed to the five Bills, to which the Governor hath given his Assent, and the same deposited in the Rolls Office.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber, in order to enact into Laws the several Bills which have been agreed to and compared."

Then Mr. Speaker with the whole House waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, they had waited on his Honour with five Bills, respectively entituled as follow, viz "An Act to prevent the

Exportation of bad or unmerchantable Staves, Heading, Boards and Timber." "A Supplement to the Act, entituled, *An Act for granting to his Majesty a Duty of Tonnage upon Ships and Vessels; and also certain Duties upon Wine, Rum, Brandy, and other Spirits, and a Duty upon Sugar, for supporting and maintaining the Provincial Ship of War, for protecting the Trade of this Province, and other Purposes for his Majesty's Service.*" "An Act for extending several Sections of an Act of Parliament, passed in the Thirty-second Year of the present Reign, entituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.*" "An Act for regulating the Hire of Carriages to be employed in his Majesty's Service." And, "An Act for regulating the Officers and Soldiers in the Pay of this Province." To which five recited Acts the Governor had been pleased to give his Assent, by enacting the same into Laws. Mr. Speaker further reported, that, pursuant to the Direction of the House, he had acquainted the Governor that the Business of the present Sitting being pretty nearly gone through, the Members incline to adjourn this Forenoon to *Monday*, the Twenty-first Day of next Month; to which his Honour was pleased to say, it was very well.

The Report of *Benjamin Lightfoot*, &c. appointed by an Order of this House, of the Eighteenth of *November* last, to view the Ground betwixt the inhabited Parts of the Province, and *Fort Augusta*, in order to the Opening a Road for loaded Carriages to the said Fort, was presented to the House, with a Draught thereto annexed, and an Account of his Expences and Service; and the said Report being read, follows in these Words, viz.

To the Honourable the REPRESENTATIVES of the Freeman of the Province of Pennsylvania, in GENERAL ASSEMBLY met.

PURSUANT to an Order of the House, dated the Eighteenth Day of the Eleventh Month (called *November*) last, we the Subscribers have viewed the Ground between the inhabited Parts of the said Province and *Fort Augusta*, and laid out, and marked a Road, beginning at a Road already laid out from *Reading* to the main Head Branch of the River *Schuylkill*, between the *Kittachtinny* and *Tuscarora* Ridges of Mountains, Three Hundred and Forty-two Perches easterly of the Place, where the said Road terminates on the said Branch, thence on several Courses and Distances nearly as laid down in the Plan hereunto annexed, to *Fort Augusta*, which we apprehend may, with some Alterations, be made tolerably passable for

loaded Waggon, at the Expence of about *One Thousand Pounds*, including the Charge of Viewing. We would have endeavoured to have had the Ground more particularly examined, in such Parts as we apprehend some Alterations may be made to Advantage, were it not that it chiefly belongs to the *Indians*, who, we understood, were uneasy at, and disapprove of a Road's being laid through their Ground, and that the Weather was very unfavourable for such Business, a great Part of the Time we were out.

We have also viewed the Ground between *Fort Augusta* and *Fort Henry*, and taken the Courses and Distances of, and marked the same in such Parts as we were informed by those, who were well acquainted therewith, were not suitable for a Road, which is also laid down in the said Plan, as near as could well be, and is in general freer from Stones than the other above-mentioned; but the North and South Sides of the *Tuscarora* and third Ridges of Mountains (there joined in one Ridge) and the South Side of the *Kittachtinny* Ridge, cannot, in our Opinion, be made passable for Wagons, at so reasonable an Expence as the Road first above-mentioned, being very steep and rocky, and inconvenient to get Slants up and down them.

*Reading, the 17th of the
Fourth Month, 1759.*

THOMAS PARVIN,
JOHN FINCHER, *junior*,
ISAAC WILLETS,
BENJAMIN PARVIN,
BENJAMIN LIGHTFOOT,
JACOB LIGHTFOOT,
FRANCIS YARNALL,
JOHN WILLETS,
PHILIP MARZLOFF."

The Account of Expences delivered to the House with the foregoing Report, being then examined, and a Blank for the said *Lightfoot's* Trouble in surveying the said Ground, &c. filled up by Mr. Speaker, by Order of the House, the same was referred to the Commissioners for *Indian Affairs*, to be immediately discharged.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Baynton*, Mr. *Hughes*, Mr. *Fox*, Mr. *Pearne*, and Mr. *Masters* be a Committee to collect all the Treaties held with the several Tribes of *Indians* by this Province, from the first Settlement thereof, and to see the same printed in a small Folio Volume, on good

strong Paper; a well bound Copy of which Book, when completed, is to be presented to the Governor by the House.

Ordered, That the said Committee do likewise collect all the Laws of this Province, and in Case they shall find any Deficiency therein, give Orders for re-printing such as are wanting; of which Collection, as soon as finished, the Governor is likewise to be presented with a well bound Copy.

Ordered, That the said Committee do prepare, against the next Meeting of the House, and bring in, Draughts of the three following Bills, *viz.* a Bill for amending the Laws for establishing Courts of Justice within this Province, a Bill for establishing an Office for recording Warrants and Surveys, &c. of all Lands within this Province, and a Bill for regulating the Inns and Taverns within this Province.

The House then resuming the Consideration of the Petition of the Tavernkeepers, and others, Inhabitants of the Borough of *Lancaster*, and having spent some Time therein,

Ordered, That Mr. *Fow*, Mr. *Webb*, Mr. *Carpenter* and Mr. *Saunders* be a Committee to prepare, against the next Sitting of Assembly, and bring in a Draught or Plan for Barracks, sufficient to receive Five Hundred Men, with the Expence thereof, to be built in the said Borough, for the better Accommodation of his Majesty's Troops, and Relief of the Inhabitants, who have been overburdened with the great Number of Soldiers billeted on private as well as public Houses.

Then the House adjourned to *Monday*, the Twenty-first of *May* next, at Four o'Clock in the Afternoon.

May 21, 1759.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Watson* and Mr. *Chapman* wait on the the Governor, and acquaint him, the House are met, pursuant to their Adjournment, and ready to receive any Business his Honour may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 22, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would lay some Matters before the House for their Consideration this Forenoon.

The Governor, by Mr. Secretary, sent down to the House a Petition to his Honour from the poor People, late Inhabitants of *Nova Scotia*, dated *April* Twenty-seven, setting forth their

calamitous Situation, from a Want of the common Necessaries of Life, and praying Relief, which was read, and referred to further Consideration.

The Committee appointed, at the Close of the last Sitting of Assembly, to prepare and bring in a Bill for establishing an Office of Record for preserving and securing all useful Papers relating to Lands within this Province, reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

An Address from the Society called *Quakers*, was presented to the House and read, setting forth, that they have, with real Concern, heard that a Company of Stage Players are preparing to erect a Theatre, and exhibit Plays to the Inhabitants of this City, which they conceive, if permitted, will be subversive of the good Order and Morals, which they desire may be preserved in this Government, and therefore pray the House to frame and present to the Governor, for his Assent, a Bill to prohibit such ensnaring and irreligious Entertainments. *Ordered to lie on the Table.*

Mr. Speaker laid before the House Proposals from Brigadier General *Stanwix*, for a Bill to oblige the several Counties of this Province to furnish Waggons for the Service of the ensuing Campaign, in the Proportions mentioned in his printed Advertisement, annexed to the said Proposals, or in such others as the House may judge more equal, to be paid either by Weight, agreeable to the Rates fixed in his Advertisement, or at *Fifteen Shillings per Diem*, each Waggon carrying such a Load as the House may think reasonable; the Owners of said Waggons legally summoned to be at *Carlisle* on a certain Day, and in Case of Failure, to forfeit and pay the Sum of *Twenty Pounds*, to be recovered in the most summary Way; and the said Proposals being read, were referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 23, 1759.

The House resumed the Consideration of the Bill for recording Warrants and Surveys, &c. which was, in Part, read, and debated.

A Petition from the Minister, Church-Wardens, and Elders of the *Lutheran German* Congregation, at *Philadelphia*, was presented to the House and read, praying that a Law may be enacted to prevent building a Play-house, or Theatre, in or

near the said City, which the Petitioners hear is intended, and already begun.—*Referred to further Consideration.*

A Petition from the Tavern and Ale-house-keepers in the Town of Reading, was also presented to the House and read, setting forth the Inconveniencies and Losses they have sustained from great Numbers of Soldiers quartered upon them in the Year One Thousand Seven Hundred and Fifty-six, and the two Winters last past, and praying the House would provide a Fund for discharging the Sums due to them for the said Quartering, as well as erect Barracks in the said Town for the Reception of such Troops as may hereafter be stationed there.—*Referred to further Consideration.*

Then the House adjourned to Three o'Clock, *P. M.*

An Address from the Synod of *New-York* and *Philadelphia* was presented to the House and read, praying that effectual Measures may be taken to discourage and prevent the erecting of a Theatre and exhibiting of Plays in this Province.

The House resumed the Consideration of the Bill for recording Warrents and Surveys, &c. and having spent some Time therein, adjourned to Ten o'Clock To-morrow Morning.

May 24, 1759.

The House proceeded in the Consideration of the Bill for recording Warrants and Surveys, &c. Part of which was read, and debated.

A Petition from sundry Captains in the Province Service was presented to the House and read, containing some indirect Reflections on the Conduct of the Provincial Commissioners, and praying the House would give Orders that the Balances of Advance-money, due to their respective Companies, may be forthwith paid off in *Philadelphia*, they (the Petitioners) having, in vain, applied to the said Commissioners for that Purpose.—*Ordered to lie on the Table for further Consideration.*

Then the House adjourned to Four o'Clock, *P. M.*

The House, at the Instance of the Provincial Commissioners, resumed the Consideration of the Petition from the Captains in the Province Service, and upon a full Examination, found the same to be altogether frivolous and groundless; and as it appeared that Captain *Haslet* had, without the Leave, and contrary to the Will, of Captain *Bull*, signed his Name to the said Petition, Mr. Speaker having reprimanded him for his Misconduct therein from the Chair, by Order of the House, they were dismissed.

The Provincial Commissioners then requesting the Opinion and Direction of the House with Regard to paying off in *Phila-*

delphia the Balance of Advance-money, due to the respective Companies, which the Board had agreed to defer till the Arrival of the Troops at *Carlisle*, for certain Reasons before given to the House; the said Reasons were approved, and the Resolution of the Board confirmed by the House, which then adjourned to Ten o'Clock To-morrow Morning.

May 25, 1759.

The House resumed the Consideration of the Bill for recording Warrants and Surveys, &c. which having made some further Progress in, they adjourned to Three o'Clock, *P. M.*

The House proceeded in the Consideration of their Bill for recording Warrants and Survey's &c. which being read through the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 26, 1759.

The Committee appointed to prepare and bring in a Draught or Plan for Barracks, sufficient to accommodate Five Hundred Men, with an Estimate of the Expence of erecting the same in the Borough of *Lancaster*, reported they had made an Essay for that Purpose, which they presented at the able, and the same being read, and examined, was referred to further Consideration.

The Bill for recording Warrants and Surveys, &c. being transcribed, was read the third time, and compared at the Table, and a Rider on the said Bill being moved for, and brought in by one of the Members, the same was read three times, and agreed to by the House.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Saunders* and Mr. *M'Connaughy* wait on the Governor therewith for his Assent to the same.

A Petition from the *Baptist* Congregation in *Philadelphia* was presented to the House and read, praying that Means may be taken to prevent the building a Play-house or Theatre, already begun near the said City, and exhibiting Plays thereon.

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Chapman*, Mr. *Ashbridge*, Mr. *Webb*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Beeting* be a Committee to prepare and bring in a Bill to prevent the Exhibition of Theatrical Entertainments, and for suppressing of Lotteries within this Government.

Then the House adjourned to *Monday* next. at Five o'Clock in the Afternoon.

May 28, 1759.

The House met, pursuant to their Adjournment.

The Committee appointed to wait on the Governor with the Bill for recording Warrants and Surveys, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into Consideration, and give it all the Dispatch in his Power.

The Committee appointed to prepare and bring in a Bill for suppressing Lotteries and Plays, reported, they had essayed a Draught for that Purpose, which they delivered at the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 29, 1759.

Mr. *John Wright*, appearing this Day in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

Mr. Speaker brought into the House a Letter from Brigadier General *Stanwix*, together with a Memorial from Colonel *John Hunter*, Agent to the Contractors for supplying Money to the Crown for Payment of his Majesty's Troops in *America*, and a Copy of their Contract with the Lords Commissioners of his Majesty's Treasury for the said Purpose: which Papers were severally read by Order, and the General's Letter, with the said Memorial, are as they respectively follow, *viz.*

To ISAAC NORRIS, Esq; Speaker of the Honourable House
of ASSEMBLY.

SIR,

Philadelphia, May 29, 1759.

YOU will this Day have a Memorial from Colonel *Hunter*, Agent for the Money Contractors, laid before the Assembly of this Province, which I have seen and approve; and shall only take Notice, that the Necessities at this Time for Money to pay the immense Expence of the last Campaign, and what will be wanting for the current Service, is so great, and no Money yet come over from *England*, that, without some Relief from the House of Assembly, it will be impossible to pay the large Sums due to the Country, and very difficult to raise Money enough to carry on this Campaign, without lowering the Exchange to such a Degree as will much hurt the Mother Country, and be but a present inconsiderable Advantage to some few Individuals in this.

As the Money proposed to be borrowed, is, with a great deal more, to be expended particularly in, and for the Benefit of, this Province, as well as for the common Good; this, I hope,

will induce the House to give, at this Time, such Assistance as will enable me to pay what I have promised to the Claimants, who have Money due to them for Services performed for the Public, whose Accounts are near being totally adjusted by Commissioners, as well as for carrying on the present Operations ordered by his Majesty. I am ready to give any Assurance that the House think fit to call upon me for, that may be thought necessary for me to do for the Performance of the Conditions that may be agreed to by the House; who am,

SIR, Your most obedient humble Servant,

JOHN STANWIX."

To the Honorable the House of ASSEMBLY of the Province of Pennsylvania,

The MEMORIAL of JOHN HUNTER, Agent to the Contractors for supplying Monies to His Majesty's Forces in North-America.

GENTLEMEN,

'YOUR Memorialist having had very large Demands made upon him by the Deputy Paymaster General of the Army, by Order of his Excellency Brigadier General *Stanwix*, not only to discharge the Engagements of the late Brigadier General *Forbes*, but to set forward the Operations of the present Campaign; and your Memorialist having already paid all the Monies he had raised for that Purpose, which fall very far short of the Sums immediately wanted, without which his Majesty's Service must be impeded, and many poor People, who have Certificates for Services, honestly and chearfully performed, greatly distressed; and indeed they are already so much distressed, that it is, with the greatest Concern, I see them selling those Certificates at a large Discount.

The Supplies applied for by the Contractors to the Right Honourable the Lords of his Majesty's Treasury, not being yet arrived, occasions a general Stagnation in the negotiating of Exchange; the large Sums lately paid, not having yet had Time to circulate, whereby your Memorialist is kept out of between *Twenty and Thirty Thousand Pounds*, now due for Bills of Exchange, sold by his Agent in this City. These, and other Causes, render it entirely out of the Power of your Memorialist to answer the present Demands, so absolutely necessary to carry on his Majesty's Service; Inducements sufficient to excuse him to the Honourable House of ASSEMBLY, for giving them this Trouble, in praying their Assistance in this so pressing an Emergency, in which the great and common Cause is so immediately concerned.

Having had the Honour of laying my present Situation, in regard to many Matters, before his Excellency Brigadier Gen-

eral *Stanwix*, he has been pleased to approve my Application to you, Gentlemen, that you will be pleased to take the Matter under your Consideration, and hope you will find no Inconvenience in assisting his Majesty's Service, by a Loan of an *Hundred Thousand Pounds* this Currency, for the Repayment of which such Security shall be given as you are pleased to require. Your Memorialist begs Leave to propose repaying that Sum in three equal Payments, at the End of each six Months after the Receipt of the said Sum. I am authorized to say, that his Excellency Brigadier General *Stanwix*, knowing how much his Majesty's Service will be benefited by this Favour, will readily enter himself as Security for the Repayment of the above Sum, as by his Letter to you of this Date will more fully appear.

And that only his Majesty's Service, and the many Individuals of this Province, who have Demands for Services long since performed, can be benefited by your granting this Favour, I beg Leave to send you herewith a Copy of the Contract made between the Right Honourable the Lords of his Majesty's Treasury, and Messieurs *Tomlinson, Hanbury, Colebrooke* and *Nesbit*, by which you will see, that the Contractors, and their Agents, are Agents to the Public, and all Advantages arising from the raising Monies, accrue to the Public, and that the Contractors, or their Agents, can have no Sort of Advantage thereby. I am, with all imaginable Respect,

GENTLEMEN, *Your most obedient humble Servant,*
Philadelphia, May 29, 1759. JOHN HUNTER."

Then the House Adjourned Three o'Clock, *P. M.*

The Petition of Doctor *William Chancellor*, in Behalf of his younger Sisters, praying that the Profits arising from the Management of the Powder Magazine, may be continued for their Support, was presented to the House, and being read, was referred to further Consideration.

The House then resumed the Consideration of General *Stanwix's* Letter, and the Memorial of Colonel *Hunter*, together with the Papers therein referred to, and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

May 30, 1759.

The House proceeded in the Consideration of the General's Letter, with Colonel *Hunter's* Memorial, and, having spent some Time therein, the following Question was put, *viz.* Whether a Bill shall be brought in for striking the Sum of *One Hundred Thousand Pounds*, in Bills of Credit, to be lent to Colonel

John Hunter, for the Purposes in his said Memorial mentioned?—*Resolved in the Negative by a great Majority.*

Then the House adjourned to Five o'Clock, P. M.

A Petition from several of the Inhabitants of the Borough of *Lancaster* was presented to the House and read, setting forth, that their late Distresses, represented by sundry Petitions to Assembly, have arisen principally (as they are well satisfied) from the Conduct of *Robert Thompson*, Esq; one of his Majesty's Justices of the Peace for the County of *Lancaster*, by advising and encouraging the Officers of the *Highland* Regiment, commanded by Colonel *Montgomery*, to quarter their Soldiers on private Families; and praying that the House would be pleased to take their Case into Consideration, and afford such Relief therein as they may think proper.

The Bill for the more effectual suppressing and preventing of Lotteries and Plays, being read the second time, and debated, was ordered to be transcribed for a third Reading.

The House then resuming the Consideration of the Report of the Committee appointed to bring in a Plan for Barracks to be erected in the Borough of *Lancaster*, with an Estimate of the Expence thereof, and having spent some Time therein,

Resolved, That it be referred to the Provincial Commissioners to communicate the said Plan to the Governor, and, with his Assent, to appoint a proper Person to superintend the Building of the said Barracks, and to be accountable to the said Commissioners for such Part of the public Money as shall be expended in erecting and completing the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 31, 1759.

The Bill for the more effectual suppressing and preventing of Lotteries and Plays, being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Grubb* and Mr. *Beeting* wait on the Governor therewith for his Assent to the same.

The Members appointed to wait on the Governor with the Bill fore the more effectual suppressing and preventing of Lotteries and Plays, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into his immediate Consideration.

The Governor, by Mr. Secretary, sent down a Letter received this Morning from Brigadier General *Stanwix*, and recommended the Contents thereof to the Consideration of

the House, which said Letter was read, and follows in these Words, *viz.*

SIR,

Philadelphia, May 31, 1759.

IT being immediately necessary for his Majesty's Service, that the Hire and Impressing Horses and Carriages should be settled by the same Provincial Law as was passed last Year; I must beg you will acquaint the Assembly of the Necessity thereof, and I must intreat your further Application to them for the immediate accoutring two Troops of Light Horse, as the most necessary and useful Corps that can be brought into the Field, for the Western Service.

I beg Leave also to represent to you, that it would be proper to direct the Commissioners for *Indian Affairs* to send, with all Expedition, *Frederick Post* and *Isaac Stille* with proper Messages to the *Indians*; at the same Time ordering them to proceed, by the Way of *Wyoming*, and to take four or five of the best disposed and most faithful *Indians* with them from thence, such as King *Teedyuscung* shall recommend.

As these are Matters of the highest Import to his Majesty's Service, and the future Safety and Happiness of this Province, I doubt not but the Assembly will readily acquiesce in your Demands. I am,

SIR, Your most obedient and most humble Servant,
To his Excellency Governor DENNY. JOHN STANWIX."

Ordered, That the General's Letter lie on the Table for the Perusal of the Members.

The House then taking into Consideration the Expediency of preparing and offering to the Governor a Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, in order to secure a certain Medium of Trade, and for answering other useful Ends, which have been experienced by this Government from a former Act of like Tenor, now near expiring, and, having spent some Time therein,

The House then adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of preparing a Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, and, after a considerable Debate thereon,

Ordered, That Mr. Galloway, Mr. Masters, Mr. Watson, Mr. Ashbridge, Mr. Carpenter and Mr. Beeting be a Committee to draw up and bring in a Bill for the said Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 1, 1759.

The House taking into Consideration General *Stanwin's* Letter to the Governor, laid before the House by the Secretary, after some Time spent therein,

Resolved, That it be referred to the Provincial Commissioners to confer with his Honour on such Parts of the said Letter as relate to the two Troops of Light Horse, and to *Indian Affairs*, and report the Result thereof to the House.

The Petition of *Francis Innis* was presented to the House and read, setting forth his having been, with several of his Family, captivated by the *Indians*, and afterwards long detained a Prisoner among the *French*, by which Misfortunes he hath suffered so much in his Health, as to be rendered incapable of supporting himself or Family, and praying Relief.—Referred to the Consideration of the Provincial Commissioners.

Then the House adjourned to Four o'Clock, *P. M.*

The House resuming the Consideration of the General's Letter, and that Part in particular, respecting the Settlement of the Hire and Impressing of Horses and Waggons for his Majesty's Service, by the same Provincial Law as was passed last Year, and, after a considerable Debate thereon, the Question was put, Whether a Bill shall be brought in for extending and continuing the said Act of last Year, entituled, "*An Act in Addition to an Act for regulating the Hire of Carriages to be employed in his Majesty's Service?*" and the same was unanimously resolved in the Negative.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 2, 1759.

The Committee appointed to enquire into the Petition and Complaint of *Catharine Snyder*, Widow, against *Benjamin Chapman*, late Sheriff of Bucks County, reported thereon as follows, *viz.*

"That they had examined the Petitioner, who solemnly declared, that her Husband in his Life-time, was prevailed on by the frequent Solicitations of *Thomas Christie* to sign a Petition to the House of Assembly against the said *Chapman*, which was not presented; that after the Death of her said Husband, his Papers being in the Hands of the said *Christie*, she applied to him for them, when he renewed his Solicitations to her to prevail on her to think the said *Chapman* had injured her and her Children out of Fifteen Pounds, and upwards, and to petition the House in the Manner she has done; that she has no Witnesses to prove the Facts in the said Peti-

tion, nor does she believe the said Chapman ever did, or intended to injure her Husband, herself, or Children; but the contrary, as she knows he might have sent him (her Husband) to Goal long before he did, he being in the Sheriff's Custody long before, and the said *Chapman* having several times postponed the Sale of her Husband's Effects at his Request; and that she never would have petitioned against the said *Chapman*, had she not been solicited and prevailed on so to do by the said *Christie*.

We have further examined into the Accounts of the said *Chapman* against the said *Peter Snyder*, and find that the said *Chapman* has been so far from extorting from, oppressing or injuring, the said *Snyder*, that there remains due to him from the said *Snyder* the Sum of *Four Pounds Ten Shillings and Seven-pence*, as will appear to the House from the Accounts herewith laid before them, and therefore we apprehend the said Petition to have been promoted by the said *Christie*, and to be frivolous, groundless, and without Foundation, which is, nevertheless, submitted to the House by

GEORGE ASHBRIDGE,
AMOS STRICKLAND,
ISAAC SAUNDERS,
JOSEPH GALLOWAY,
JOSEPH FOX,
WILLIAM SMITH."

The House taking into Consideration the foregoing Report of the Committee of Aggrievances, and, having spent some Time therein,

Ordered, That Mr. Speaker do sign Orders for bringing the said *Thomas Christie* and *Catharine Snyder* before the Bar of this House on *Wednesday* next; which Orders were accordingly made out, signed, and delivered to the Sergeant at Arms.

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Galloway*, Mr. *Melvin*, Mr. *Hunt*, Mr. *Saunders*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Legiance, &c.

Mr. *Webb* reported, that the Commissioners, pursuant to the Order of the House, had laid the Plan for the Barracks, proposed to be erected at *Lancaster*, before the Governor, who had been pleased to approve the same, and to give his Assent to such Draughts from the public Money as may be found necessary to defray the Expence of building and completing the said Barracks: Whereupon it was recommended by the House to the said Member to get the Title to the Lot of Ground to

be purchased for the said Barracks, made in his own Name, for the Use of the Public.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

June 4, 1759.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

June 5, 1759.

The Committee appointed to prepare and bring in a Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration the large Sums of Money due to many of the Tavern-keepers in this Province, on whom great Numbers of Soldiers have been quartered, for the Payment of which a sufficient Fund hath not been provided, and in Consequence thereof, many of the said Tavern-keepers subjected to great Inconveniencies, after some Time spent therein, the three following Questions were severally put to the Vote, *viz.*

1. Whether the Debts arising to the said Tavern-keepers for quartering of the King's Troops are justly due from, and chargeable to, this Province?—*Unanimously resolved in the Affirmative.*

2. Whether this House shall direct the Provincial Commissioners to apply for the Governor's Assent to discharge the said Debts out of the last Grant from this Province to his Majesty?—*Resolved in the Negative by a great Majority.*

3. Whether the House will, as soon as they conveniently can, consider the Ways and Means to defray the said Debts?—*Resolved in the Affirmative, Nemine Contradicente.*

Ordered, That the Provincial Commissioners give Notice, in the Public Papers, to the said Tavern-keepers to bring in their respective Accounts for quartering of Soldiers to the said Commissioners, in order to ascertain the Amount of the said Debts, and enable the House to proportion the Fund for defraying the same accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 6, 1759.

The Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. was again taken up, and

being in Part read the second time, and debated, the House adjourned to Three o'Clock, *P. M.*

The Provincial Commissioners appointed to confer with the Governor on *Indian Affairs*, and some other Points recommended to his Consideration by General *Stanwix's* Letter, laid before the House by the Secretary, reported, they had waited on his Honour, pursuant to the Order of the House, and, after some Conversation, acquainted him, that if the Messages proposed by the General to be sent to the *Indians*, were to go from him as Representative of the Crown, and not from the Legislature of this Province, to invite them into a Treaty, the House are of Opinion the Expence thereof ought to be defrayed by the Crown, as was done in like Cases by the late Brigadier *Forbes*; but if General *Stanwix* means, by proper Messages to the *Indians*, a fresh Invitation to them to come down to a Treaty at *Philadelphia*, which shall be superintended by the Governor, in order to confirm the Promises already made them by this Government, and the General should absolutely refuse to bear such Expence in Behalf of the Crown, the Province of *Pennsylvania* might, perhaps, consent to defray it, rather than disappoint the *Indians* in the Assurances and Expectations which have been heretofore given them; but whatever might be the Meaning of General *Stanwix*, the House desire to know the designed Tenor of the said Messages, and from whom they are to be sent, before they can come to any Determination on the Matter. In Answer to which his Honour was pleased to say, he would confer with the General respecting the said Messages, and acquaint the House with the Import thereof, and in whose Name they are intended to be sent to the *Indians*.

The House resumed the Consideration of the Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. and some Defects appearing therein, the same was re-committed to the Committee which brought it in, with the Addition of Mr. *Leech*, Mr. *Pearne*, Mr. *Fox* and Mr. *Morton*; and the Question being then put, Whether it shall be an Order to the said Committee to bring in a Clause to be added to the said Bill, for lending a certain Sum of Money to the Contractors Agents for the Use of the Crown, on such Securities as the House shall think sufficient?—The same was resolved in the Affirmative by a great Majority.

The Serjeant at Arms reported, that *Thomas Christie* and *Catherine Snyder* were attending at the Door, pursuant to the Order of the House,

Ordered, That the said *Christie* and *Snyder* do again attend the House at Eleven o'Clock To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 7, 1759.

The Committee appointed to prepare and bring in a Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Legiance, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

A Petition from the Freeholders of the Township of *Radnor*, in the County of *Chester*, was presented to the House and read, setting forth, that having no Waggon in the said Township, suitable for the King's Service, they had been obliged to raise Bounties for others to send out Waggons in their Behalf, which Bounties the Petitioners have sometimes raised by Subscription, and at other Times by Levy on the Township, in Proportion to the Provincial Levy; but as there is no Law to enforce the Payment of Levies for the Purpose aforesaid, the said Petitioners have been Sufferers thereby, and pray that the House, by an Act, or some other Means, would afford them such Relief in the Premises as they may think proper.—*Referred to further Consideration.*

A Petition from several Merchants and Traders in the City of *Philadelphia* was presented to the House and read, praying a Bill may be prepared and offered to the Governor for regulating and establishing the Wages of Porters and Draymen, employed in the said City.

Thomas Christie and *Catharine Maria Snyder* attending pursuant to Order, were called in, and, after a full Examination of both, it appearing that the said *Christie* had been the sole Instigator of her Petition to Assembly against *Benjamin Chapman*, Esq; one of the Members thereof, they were dismissed; and the House then taking into Consideration the Rise of the said Petition, and that *Thomas Christie*, the Adviser and Promoter thereof, hath no Proofs to adduce in Support of any one Charge therein contained,

Resolved, That the said Petition of *Catharine Maria Snyder*, against *Benjamin Chapman*, Esq; a Member of this House, is false, scandalous and groundless.

Resolved, That it is the Opinion of this House, that *Thomas Christie* hath been the chief Promoter and Instigator of the said Petition.

Resolved, That the said *Christie* be committed to the Custody of the Serjeant at Arms, there to remain until he willing make such a Retractation of the Charges contained in the said

Petition as shall be satisfactory to, and accepted by, this House.

The said *Christie* being then ordered in again, and the foregoing Resolves read to him, he acquainted the House, he was not inclined to make the Submission required; whereupon the Serjeant was directed to keep him in Custody until he should be willing to comply with the Judgment of the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 8, 1759.

The Petition of *Mordecai Moore*, of *Chester County*, was presented to the House and read, praying to be appointed a Trustee of the Loan-Office for the said County, in the Re-emitting Bill, under Consideration of the House.

The Committee to which the Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. was committed for some Alterations, and an additional Clause, reported, they had essayed a Draught for that Purpose, which was read the first time.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. which being read the second time, and debated, was ordered to be transcribed.

The Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Legiance, &c. being read a second time, was ordered to be transcribed for a third Reading.

The House then resumed the Consideration of the Petition of the Merchants, relating to the Regulation of Porters and Draymen, &c. and a Member moving in their Behalf for Leave to bring in a Bill for that Purpose,

Resolved, That the Petitioners have Leave to bring in a Bill for the Purpose requested.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 9, 1759.

The Serjeant at Arms reporting to the House, that *Thomas Christie*, committed to his Custody for refusing to make the Acknowledgments required by the House, for his Offence in promoting a false and scandalous Petition against one of their Members, was now sensible of his Misconduct, and desirous to comply with the Judgment of the House; he was admitted, and having asked Pardon of the House for the Trouble given to them, and of the Member in particular, whose Character

he had endeavoured to asperse, he was reprimanded from the Chair, and ordered to be dismissed, upon Payment of his Fees.

The Bill for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* do wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

June 11, 1759.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for re-emitting the Bills of Credit, heretofore re-emitted on Loan, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say he would take the said Bill into his immediate Consideration.

The Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Legiance, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Morton* and Mr. *James Wright* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 12, 1759.

The Members appointed to wait on the Governor with the Bill for the Relief of the Heirs, Devisees and Assigns of Persons born out of the Kings Legiance, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration.

Ordered, That Mr. *Watson* and Mr. *Ashbridge* wait on the Governor, and acquaint him, that as the principal Business, which lay before the House at their first Meeting, is now under his Honour's Consideration, and the Season of the Year will not admit of a much longer Sitting, they desire to know when they may expect the Governor's Result upon the two Bills first sent up to him.

The Governor, by Mr. Secretary, sent down a Letter from General *Stanwix*, dated the Ninth Instant, with a verbal Message, that his Honour earnestly recommends to the House a Compliance with the Request therein contained; and the said Letter being read, follows in these Words, viz.

*SIR,**Philadelphia, June 9, 1759.*

NOT being favoured with your Answer to my last Letter, desiring the Renewal of the Law for impressing Carriages for his Majesty's Service, I am under a Necessity of acquainting you, that the King's Service is absolutely at a Stand until Waggons can be obtained for the Transportation of the Provisions, Ammunition and Forage, requisite for the Western Army. I have taken all possible Methods to prevail on the Inhabitants of the Province to furnish Waggons for the above Purposes, and have offered the most advantageous Terms, ready Money, and every persuasive Argument I could devise; also by appointing Persons of Reputation and Substance to contract with the People in each County, in whose Hands I have lodged Money to enable them to fulfil my Engagements, who have already published Advertisements, a Copy thereof is hereunto annexed, which shall be inserted in the next Gazette.

Notwithstanding all these Steps have been taken, by the Returns made by those Gentlemen, I yet find, that on the Sixth Instant there were only Seventeen Waggons from *Bucks*, Fourteen from *Lancaster*, and Six from *Carlisle*, that could be engaged in the King's Service. In Excuse for their Backwardness, the People allege, that the last Year's Services are not yet discharged, which is not my Fault, as it is well known that every Means in my Power for the raising Money to pay them has been taken, and that I have shewn my utmost Readiness to satisfy them, by paying the Commissioners Certificates as fast as Money came in; so that unless the Legislature no longer delays to oblige the Inhabitants by Law, under a proper Penalty, that can be instantly recovered, by a summary Process, to furnish, upon the before-mentioned Proposals, which no reasonable Man can object to, a sufficient Number of Carriages, the advanced Posts must be abandoned, and that Country lost, which has cost the King and the Colonies so much Blood and Treasure.

The Nature of this Expedition requiring the Service of Light Horse, and the Experience of last Campaign proving their Utility, I must desire you, in the strongest Manner, to require the Assembly to raise again the two Troops they furnished last Year, and to establish a Post for the Communication with the Western Army. I am,

SIR, Your most obedient and most humble Servant,
To his Excellency Governor Denny. JOHN STANWIX."

The Members appointed to wait on the Governor with the Message of the House, reported, they had delivered the same

according to Order; and that his Honour was pleased to acquaint them, they might assure the House, the Bills were now under his Consideration, and as they were Bills of great Importance, he should give them all convenient Dispatch.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 13, 1759.

The House taking into Consideration, that the State-house, and public Records kept therein, have been exposed to great Risks by Fire, from the Lodging of Numbers of *Indians*, frequently coming to Town, in one of the Wings thereof; after some Debate,

Resolved, That it be referred to the Provincial Commissioners to erect, with the Assent of the Governor, a small House, suitable for the Purpose aforesaid, adjoining the Wall of the State-house Yard, on the Lot formerly conveyed by *Anthony Morris* to *William Allen*, Esq; and that the Superintendants of the State-house do take Care to have the said Conveyance completed for the Use of the Public.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by the Secretary, sent down a written Message to the House, with the Bill entituled, "*An Act for recording of Warrants and Surveys*," &c. and a Paper of Observations, thereon, signed by *William Coleman*, *Benjamin Chew*, *John Ross* and *John Moland*, which, with the said Message, was severally read, and the latter follows in these Words, *viz.*

GENTLEMEN,

THE Bill, entituled, "*An Act for recording Warrants and Surveys*," &c. appearing to be a Law Bill, I referred it to the Consideration of several Gentlemen skilled in that Profession, who have made many just Observations upon the Defects of the Bill, and reported, that they are of Opinion such a Bill is of the utmost Importance to the Freeholders of this Province, and deserves the greatest Care, Judgment and Skill in its Formation. I cannot therefore give my Assent to it as it now stands, but have ordered the Secretary to return it to you for further Consideration, and lay before you the Gentlemen's Remarks upon it, that, in a Case of so great Moment, wherein the Estate of every Landholder is concerned, nothing may be neglected or omitted, that may tend to secure and establish their just and legal Rights, and every Provision may be made to guard against the Frauds of the Artful and Evil-disposed.

June 13, 1759.

WILLIAM DENNY."

Mr. Secretary also returned to the House the Bill, entitled, "*An Act for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan,*" &c. and the following verbal Message, viz.

"The Governor returns the Re-emitting Bill, with Amendments, and a Letter from Mr. *Hunter*, desiring an additional Loan of *Twenty-five Thousand Pounds*, and that the Term of Twelve Months may be allowed for the Repayment of the *Seventy-five Thousand Pounds*.

"If the House inclines to grant this Request, the Governor will cheerfully concur with them in such further Amendments as this will require.

"The Governor likewise lays before you a Letter from Brigadier General *Stanwix*, relating to the raising two Troops of Horse, and earnestly recommends the General's Proposal to the House."

And the said Letters from Colonel *Hunter* and the General being severally read, are as they respectively follow, viz.

To the Honourable WILLIAM DENNY, Esquire.

SIR,

Philadelphia, June 11, 1759.

HAVING been honoured with a Sight of the Bill passed by the Honourable House of Assembly, wherein they are pleased to assist his Majesty with a Loan of *Fifty Thousand Pounds*, current Money of this Province, I am sorry to find that the Time limited for the Repayment of this Sum is within the Space of six Months, because I well know it will not be in my Power to repay it in that Time, nor do I think I can be justified to enter into any Engagement in Behalf of the Right Honourable the Lords of his Majesty's Treasury, without Time sufficient being allowed me to lay such Engagement before their Lordships, through the Hands of the Contractors, that their Lordships may also have Time sufficient to order (if they please) that the Sum in Sterling may be sent from England to redeem the Bills that are to be lodged in the Hands of the Trustees, as a Security for the Repayment of the aforesaid *Fifty Thousand Pounds* Currency; all which I humbly conceive cannot be done in less than twelve Months from the Receipt of the Money, and therefore pray that that Time may be allowed me.

I am ordered by his Excellency General *Stanwix* to add, that he will esteem it a Favour if you will be pleased to use your Interest with the Honourable House of Assembly to add *Twenty-five Thousand Pounds* to the Sum they have been pleased to vote for the Assistance of his Majesty's Service, as

he hopes that Sum would enable him to grant his Warrants to continue the Payment of the Sums due to those who have Demands for Services performed last Campaign, who remain in the utmost Distress for Want of their Money. I am, with all due Respect,

Your Honour's most obedient humble Servant,
JOHN HUNTER."

To the Honourable WILLIAM DENNY, Esquire.

SIR,

Philadelphia, June 12, 1759.

HAVING considered your Proposal to me this Morning in regard to the Troops of Light Horse to be formed out of the *Pennsylvania* Provincials, so absolutely necessary for his Majesty's Service, and particularly for keeping open the Communication between *Fort Bedford* and *Pittsburg*, assisting in the Escorts of Convoys for Provision, Stores and *Indian* Goods, &c. And whereas last Year the greatest Part of the Horses, Saddles and Bridles were lost, in my Opinion, from the Campaign being extended to so great a Length, but am informed that the Commissioners attribute the Loss to Carelessness or Neglect somewhere; and as the Assembly may be willing to raise, at my so often repeated Request, two Troops of Horse, at Fifty each Troops, provided the Province can in the ensuing Campaign be secured against such Carelessness and Neglect; in order, therefore, that this so essential Piece of Service may be provided for by the Commissioners of this Province, I am content that all the Horses shall be appraised at an Average, and I will undertake for his Majesty, that all such Horses, except such as shall be killed, or unavoidably destroyed by the Enemy, shall be paid for agreeable to the Appraisement by indifferent Persons; the Remainder, after the Campaign, I undertake shall be delivered into the Hands of Persons appointed by the Commissioners, who shall receive them at *Fort Bedford*, the first Post of the *Pennsylvania* Settlements on this Side of the *Allegheny* Mountains, they giving Receipts for the same. I am, with the greatest Respect and Esteem,

SIR, Your most obedient and most humble Servant,
JOHN STANWIX,

P. S. If any Horses remain that were in the Service last Year, I desire they may be put into the Light Horse this Campaign."

The House taking into Consideration the Governor's Amendments to the Bill, entituled, "*An Act for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan,*" &c.

together with the foregoing Letter from Colonel *Hunter*, and having spent some Time therein, it was unanimously resolved upon the Question, that the House will adhere to the said Bill in all its Parts, except in the Article of Time allowed for Repayment of the Money proposed to be lent thereby, which they agree to extend from six to twelve Months; and the said Resolution being transcribed,

Ordered, That Mr. *Owen* and Mr. *Melvin* wait on the Governor therewith, and return the Re-emitting Bill, for his further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 14, 1759.

The House taking into Consideration the Paper of Remarks sent down by the Governor on the Bill for recording Warrants and Surveys, &c. the same were read through, and, after some Debate thereon,

The House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill, entituled, "*An Act for recording Warrants and Surveys*," &c. with the Paper of Observations thereon, delivered by the Secretary, and having agreed to some Additions and Alterations to be made in the said Bill, the same were transcribed, in order to be sent up to his Honour with a short Message, which was wrote at the Table, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

IN Pursuance of your Message of the Thirteenth Instant, we have taken under our Consideration the Observations your Honour has been pleased to send down with the Bill, entituled, "*An Act for recording Warrants and Surveys*," &c. and have made the Additions and Alterations herewith transmitted, which we presume will take off all reasonable Objections; and as the Bill is of the utmost Importance to the Freeholders of this Province, we return it, and desire you will be pleased to give your Assent to it as it now stands.

Signed by Order of the House,

ISAAC NORRIS, Speaker."

Ordered, That Mr. *Chapman* and Mr. *Morton* wait on the Governor, and deliver the said Bill and Amendments of the House thereon, together with the foregoing Message, and acquaint his Honour, that as it is a very busy Season with the Country Members, the House are desirous to adjourn this Week, and therefore request the Governor will be pleased to give all convenient Dispatch to the Bills before him.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 15, 1759.

The Members appointed last Night to wait on the Governor with the Bill for recording Warrants and Surveys, &c. together with the Alterations and Amendments of the House on the said Bill, and their Message to his Honour, reported, they had delivered the same according to Order; as also the verbal Message given them in Charge; to which the Governor was pleased to say, the Bills before him were of great Importance, and required to be well considered, but that the House might depend on his giving them all the Dispatch in his Power.

Mr. Secretary, by Order of the Governor, brought down the Bill, entituled, "*An Act for the more effectual suppressing and preventing of Lotteries and Plays,*" with some Amendments thereon, which having been read and considered, were admitted by the House, and the Bill ordered to be engrossed accordingly.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by Mr. Secretary, sent down to the House the Bill entituled, "*An Act for the Relief of the Heirs, Devisees, and Assigns of Persons born out of the King's Legiance, &c.*" with a verbal Message, that his Honour was ready to pass the same, whenever presented to him for that Purpose.

Ordered, That the said Bill be engrossed.

On Motion, it was

Resolved, That it be recommended to the Provincial Commissioners to allow the Overseers of the City of *Philadelphia* *Five per Cent*, for their extraordinary Care of the Aged, Sick, and necessitous Persons, late Inhabitants of *Nova Scotia*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 16, 1759.

Ordered, That Mr. *Roberdeau* and Mr. *Wayne* wait on the Governor, and acquaint him, that the present Sitting of Assembly being extremely inconvenient to the Country Members, whose Affairs require them at Home, the House are desirous to know when they may expect his Honour's Result upon the Bills before him.

The Members return, and report, they had waited on the Governor, and delivered the Message of the House according to Order; in Answer to which his Honour was pleased to say, the Bills before him were Matters of great Consequence, but that he would give them all the Dispatch in his Power, and

the House might depend on hearing from him as soon as he came to any Result thereon.

Then the House adjourned to *Monday*, next, at Four o'Clock in the Afternoon.

June 18, 1759.

The House met, pursuant to their Adjournment.

The Governor, by the Secretary, sent down the Bill entitled, "*An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c.*" with a verbal Message, that his Honour was ready to pass the same, whenever presented to him for that Purpose, and desired it might be engrossed with all convenient Dispatch.

Ordered, That the said Bill be immediately engrossed.

Ordered, That Mr. *Galloway* and Mr. *Baynton* wait on the Governor, and acquaint him, that the House are desirous to adjourn, if possible, To-morrow Afternoon, and therefore request to know his Honour's Determination on the Bill for recording Warrants and Surveys, &c. still before him.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 19, 1759.

The Members appointed to wait on the Governor, with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had called several Councils upon the Bill before him; that they were to meet again upon the Consideration of it at Twelve o'Clock Today, and his Honour hoped it might be sent down to the House, with a Message, about One.

The House having waited beyond the Hour mentioned by the Governor for returning the said Bill, without receiving the same, adjourned to Four o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down the Bill entitled, "*An Act for recording Warrants and Surveys, &c.*" with further Observations thereon, signed by *Benjamin Chew*, *John Moland*, *William Coleman* and *John Ross*, and a written Message from his Honour to the House, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I HAVE considered your Amendments to the Bill entitled, "*An Act for recording Warrants and Surveys, &c.*" and conceive they by no Means answer or remove the Objections I laid before you, some of the most material of which I must observe you have passed over without taking any Notice of them. The Bill, as it now stands, is so very exceptionable,

that it is hardly possible to amend it, without framing it anew, Wherefore I am under the Necessity of refusing my Assent to it, and recommend it to you, when it suits your Leisure, to make a new Draught on the Plan of the Observations I lately laid before you.

June 19, 1759.

WILLIAM DENNY."

Ordered, That Mr. *Grubb* and Mr. *Carpenter* wait on the Governor, and acquaint him, that the Bills to which he hath given his Assent, being engrossed, the House have appointed two of their Members to join with such Gentlemen of the Council as his Honour may nominate, to compare the said engrossed Bills with their Originals at Ten o'Clock To-morrow Morning, and have agreed to adjourn to *Monday*, the Second of *July* next, in Case the Governor hath no Objection thereto.

Ordered, That Mr. *Leech* and Mr. *Pearne* do meet the Members of Council appointed by the Governor to collate the said Bills.

Then the House adjourned to Ten o'Clock To-morrow Morning.

June 20, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would send down the Secretary at the Hour mentioned, to join with the Members of Assembly in comparing the Bills, which have been agreed to, and had no Objection to the proposed Term of Adjournment.

A Committee of the Board of Managers for the *Pennsylvania* Hospital presented to the House an Account of Stock, Expenses, &c. together with an Abstract of the Cases of Patients received into the said Hospital from *April* 1758, to *April* 1759, which were severally read, and are as they respectively follow, *viz.*

WE the Committee appointed by the Board of Managers of the Pennsylvania HOSPITAL, to adjust the Accounts of the preceding Year, do REPORT,

That the Treasurer, Hugh Roberts, on Account of the Capital Stock, Credits, FOR the Balance remaining in his Hands the First of Fifth Month, 1758, £164 13 0

And for Cash received from sundry Contributors, viz.

John Malcolm, — — — £	10 0 0	Brought forward, £	295 8 0
Matthew Johns, — —	10 0 0	John Bissell, — —	10 0 0
William Shute, — —	10 0 0	Joseph Wills, — —	10 0 0
Enoch Story, — —	10 0 0	William West, — —	10 0 0
Benjamin Mifflin, —	10 0 0	Isaac Garrigues, —	10 0 0
John Mifflin, junior,	10 0 0	Francis Rawle, — —	12 10 0
Swan Warner, — —	10 0 0	John Head, — — —	20 0 0
Townshend White,	10 0 0	Samuel Morris,	
Daniel Rundle, —	10 0 0	junior, — — — —	15 0 0
Christopher Sour's		John Meas, ad-	
Legacy, — — — —	20 0 0	ditional, — — —	10 0 0
Richard Wistar, —	20 0 0	William Lightfoot,	10 0 0
Jonathan Zane, —	10 0 0	Andrew Read, — —	5 0 0
Moses Standley, —	10 0 0	James Clulow, — —	10 0 0
John and Jacob		Matthew Drason, —	15 0 0
Bankson, — — —	10 0 0	George Robotham,	10 0 0
Samuel House, —	10 0 0	Edward Shippen,	
John M'Michael, —	20 0 0	junior, — — — —	10 0 0
John Belfe, — — —	20 0 0	John Bell, — — —	10 0 0
Charles Coxe, — —	25 0 0	Jacob Maag, — —	5 0 0
Thomas Davis, —	10 0 0	Thomas Wharton, —	10 0 0
Samuel Rhoads, —	10 0 0	Henry Drinker, —	15 0 0
Joseph Baker, — —	10 3 0	George Wescott, —	10 0 0
Samuel Chancellor,	10 0 0	Joseph Johnson, —	10 0 0
Benjamin Hooton, —	10 0 0	Joseph Stennard, —	10 0 0
James Wallace, —	10 0 0	Peter Keen, — — —	10 0 0
		A. B. of, — — —	5 0 0
		Capt. David Allen,	5 0 0

Carried forward, £	295 8 0	£	542 13 0
And for Cash received of J. L. in full of his Bond, — — —			10 0 0
Received of J. B. in full of his Bond and Mortgage, — — —			500 0 0
		£	1,217 6 0

And he Debits,

For Cash lent A. D. on Interest, as by his Bond and			
Mortgage, — — — — —	£	500 0 0	
So that the Balance, on Account of the Capital Stock is —		717 6 0	
		£	1,217 6 0

And on Account of Interest, the said Treasurer

Debits,		Credits,	
To the Balance due		Cash received from	
to him, per Ac-		the Borrowers of	
count settled the		Money lent, — —	£ 193 16 0
First of Fifth		From sundry Contributors,	
Month, 1758, — —	£ 604 0 4½	Interest on their	
Cash paid John Bond,		Subscriptions, —	203 7 1
Apothecary, two		From William Allen, Esq;	
Years Salary, end-		his annual Contri-	
ing 1758, — — —	30 0 0	bution for the	
Paid Joshau Burne,		Years 1757 and	
for Firewood,		1758, — — — —	34 0 0
1758, — — — —	50 0 0	From William Van-	
Paid the Matron, by		derspiegel, Ditto,	2 0 0
eleven Orders of			£ 428 3 1
the Managers, —	530 0 0	So that the Balance	
		due to the Treas-	
		urer, on this Ac-	
		count, is — —	805 17 3½
	£1,234 0 4½		£1,234 0 4½

And on Account of the Stock appropriated for the Building, the Treasurer Credits, By Balance of the Account settled the First of the Fifth

Month, 1758, £ 319 18 5½

By Cash of sundry Contributors, viz.

City Assessors in		Brought forward.. £	107	4	11
1757,	£ 11 4 5	Anthony Morris, ad-			
Gunning Bedford, ..	10 0 0	ditional,	11	0	0
Eden Haydock,	10 0 0	James Alexander, ..	1	0	0
Josiah Hewes,	8 8 0	Mary Loveday, ad-			
Joseph Davis, Shoe-		ditiional,	3	0	0
maker,	10 0 0	Charles Osborne, ..	75	0	0
William Rush	12 0 0	Samuel Massey, ...	10	0	0
Isaac Janvier,	5 0 0	Thomas Saltar,	10	0	0
John Rouse,	10 0 0	Benjamin Kendall,	13	0	0
Samuel Bonnell, ...	10 0 0	John Cresson,	10	0	0
John Church,	10 0 0	Daniel Offley,	10	0	0
Isaac Roberts,	10 0 0	Friendship Fire-			
John Rich,	5 0 0	Company,	10	0	0
John Akins,	0 12 6	From the Provincial			
		Treasurer, by Or-			
		der of the Signers			
		of Paper Money,	470	11	6
Carried forward, . £	107 4 11		730	16	5
From the Administrators of Wm. Hinton, towards paying					
the Quit-rent of the Lot bought of him,			3	0	0
Of Isaac Janvier, for Glass remaining,			0	13	4
			£1,054	8	2½

And he Debits.

For Cash paid Samuel Rhoads, per two Orders of the Managers,	952	7	10½
For Interest on Three Hundred and Thirteen Pounds Four Shillings, advanced by him,	31	15	6
So that the Balance of this Account, in his Hands, is, ..	70	4	10
	£1,054	8	2½

And we do further report, That, on the general State of the
Accounts, The *Capital Stock of the Pennsylvania HOSPITAL*,
Dr. Cr.

To 182 Bonds due from sundry Contributors,	£1,672 6 8
To 14 Subscriptions, for which Bonds are not given, ...	84 0 0
To 8 Bonds, with Land Securities, for Money lent to Persons on Interest,	2,850 0 0
To Deeds in the Treasurer's Hands for a Lot near Germantown, an Annuity of £6 per Annum, and one of 35s Sterling per Annum, valued at,	174 0 0
	<hr/> £4,780 6 8
To Balance remaining due on this Account, which ought to be at Interest,	717 6 0
	<hr/> £5,497 12 8

By the Amount of all the Contributions before the Settlement of Accounts, 1758, ...	£5,052 9 8
By 37 Subscriptions this Year ,.....	445 3 0
	<hr/> £5,497 12 8

Stock appropriated towards the Building the HOSPITAL.

Dr.

Cr.

To Expenses of Furniture, &c. from the Opening the Hospital, 1752, to Settlement of Accounts, 1758, (including House-rent paid till 1757) ..	£ 450 14 8½
To Cash paid for the Lot on which the Hospital is built,	500 0 0
To Cash paid for the Cost of the Building, as adjusted in Account settled in the Year 1758,	3,037 7 7½
Since paid, by Accounts now adjusted, — — —	952 7 10½
Paid for Interest of Money advanced towards carrying on the Building,	43 15 6
To Cash paid for Furniture, &c. since the last Account, — — — —	36 8 7

£5,020 14 3½

To Balance remaining due to this Account (of which £ 70 4 10 is in the Hands of the Treasurer) the Remainder to be supplied by Account of Expenses, &c. when that Fund is sufficient to answer it, — — —	131 13 6½
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£5,152 7 10

By Cash granted by the Assembly of the Province, —	£2,000 0 0
By Interest received on said Money from 1753 to 1756,	393 0 0
By the Amount of Contributions, and Legacies from private Persons before the Settlement of Accounts, 1758, — — — —	2,024 18 1
By 23 Subscriptions, paid since that Time, — — — —	260 4 11
By Cash of the Provincial Treasurer, contributed by the Signers of the last £ 100,000 Bills of Credit, — — — —	470 11 6
By Cash for some Glass sold, — —	0 13 4
By Cash on Account of Quit-rent, due from William Hinton, before the Purchase of the Lot, — — — —	3 0 0

£5,152 7 10

Household Expenses of the Pennsylvania HOSPITAL

Dr.

Cr.

To Balance of Account adjusted the First of Fifth Month, 1758, —	£ 725 3 1½
To Provision, Fire-wood and Wages, per Account adjusted the Fifth of Fifth Month, 1759	742 6 0½
To the Apothecary's Salary, Two Years,	30 0 0

By Interest-money received from the Contributors, —	£ 203 7 1
From the Borrowers of Money lent, —	198 16 0
By Cash for Rents and Annuities, —	27 6 0
Ditto for boarding Pay Patients, —	142 18 0
Ditto from sundry Charity-Boxes, viz.	
The Hospital's, —	£ 6 17 8
The Assembly's, —	6 9 5
The Chief Justice's, —	13 5 3
Judge Coleman's, —	5 8 10
Alderman Mifflin's, — —	4 15 3
Alderman Sterman's, — —	2 12 11
Isaac Jone's Esq; — — — —	4 3 1

	Daniel Roberdeau's Esq;	0 13 7
	£	44 6 0
	£	616 13 1
	By Balance expended more than the In- come of our Funds	880 16 0%
£1,497 9 1%		£1,497 9 1%

The foregoing Accounts were examined, and the Lists of Bonds and Mortgages, and Subscriptions therein mentioned, and particularly entered in the annexed Schedule, compared with the Originals, which, with the Deeds for Houses and Lands mortgaged for the Money lent on Interest, and the Deeds for the Annuities and Lots, granted to the Contributors of the *Pennsylvania Hospital* and the Seal of the Corporation, were found remaining in the Hands of *Hugh Roberts*, (the Treasurer) this Fifth Day of Fifth Month, 1759.

ISRAEL PEMBERTON,
ISAAC GREENLEAFE."

An *ABSTRACT* of CASES in the PENNSYLVANIA HOS-
PITAL, from the 26th of Fourth Month, 1758, to the
26th of Fourth Month, 1759.

	Admitted	Cured	Relieved	Taken away by their Friends.	Ir- regularly	Escaped	Incurable	Dead	Remains
Ague,	6	4	....	1	....	....	....	1	....
Ancylosis,	1	1	....	....	....	....	....	....	....
Asthma,	1	....	....	....	....	....	....	....	1
Cancer,	1	....	....	1	....	....	....	....	....
Consumption,	7	1	1	2	....	....	....	3	....
Contusion,	3	1	1	....	....	....	....	1	....
Dropsy,	7	5	1	....	....	....	....	1	....
Epilepsy,	1	....	....	....	....	....	1	....	....
Eyes disordered,	13	5	3	....	....	....	2	....	3
Exostosis,	1	1	....	....	....	....	....	....	....
Fevers,	7	6	....	....	....	....	....	1	....
Fistula,	1	....	....	....	....	....	....	....	1
Flux,	3	3	....	....	....	....	....	....	....
Fractures,	3	3	....	....	....	....	....	....	....
Gutta Serena,	1	1	....	....	....	....	....	....	....
Imposthume,	1	....	....	....	....	....	....	....	1
Liver ulcerated,	1	1	....	....	....	....	....	....	....
Lunacy,	24	6	....	5	....	3	....	....	10
Measles,	1	1	....	....	....	....	....	....	....
Parley,	2	1	....	....	....	....	....	....	1
Polypus,	1	1	....	....	....	....	....	....	....
Paraphimosis,	1	....	1	....	....	....	....	....	....
Rheumatism,	8	4	1	....	....	....	....	1	2
Scirrhus,	1	....	....	....	....	....	....	1	....
Scorbutic Disorders, .	16	29	1	....	2	....	....	....	14
Surfeit,	1	1	....	....	....	....	....	....	....
Tympany,	1	....	....	....	....	....	....	....	1
Ulcers with Caries, .	6	2	....	....	2	....	....	....	2
Wounded,	4	3	....	....	....	....	....	1	....
In all,	154	80	9	9	4	3	3	10	36

The Members appointed to compare the engrossed Bills with their Originals, reported they had done the same, and found them to agree.

Ordered, That the said two Members do see the Great Seal affixed to the said Bills after they shall be passed into Laws, and the same deposited in the Rolls Office.

The House then taking into Consideration the Governor's Support, after some Debate thereon.

Resolved, That the Sum of *One Thousand Pounds* be allowed and given to the Honourable WILLIAM DENNY, Esquire, Lieutenant-Governor of this Province, for his Support for the last preceding Year.

Resolved, That an Order be drawn upon the Trustees of the General Loan-Office, and signed by Mr. Speaker for the above Sum, and that the same be presented to the Governor.

A Message by Mr. Secretary :

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber, in order to enact the three Bills which have been agreed to into Laws."

Then Mr. Speaker with the whole House waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on his Honour with three Bills respectively entituled as follows, *viz.* "*An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, and for striking the further Sum of Thirty Six Thousand Six Hundred and Fifty Pounds, to enable the Trustees to lend Fifty Thousand Pounds to Colonel John Hunter, Agent for the Contractors with the Right Honourable the Lords Commissioners of his Majesty's Treasury, for his Majesty's Service.*" "*An Act for the Relief of the Heirs, Devisees and Assigns of Persons born out of the King's Legiance, who have been Owners of Lands within this Province, and died unnaturalized,*" And, "*An Act for the more effectual suppressing and preventing of Lotteries and Plays,*" to which said three Bills his Honour had been pleased to give his Assent, by enacting the same into Laws: And the Speaker further reported, that he had then, in the Name of the whole House, presented to the Governor their Order on the Trustees of the General Loan-Office, for the Sum of *One Thousand Pounds* for his Support for the last preceding Year, which he had received very kindly, and was pleased to return his Thanks to the House for the same.

The Report of the Trustees of the General Loan-Office on the Affair of *Moses Dickey*, with sundry Affidavits relating

thereto, being presented to the House by one of the said Trustees, the same were severally read, and their said Report follows in these Words, *viz.*

AGREEABLE to the Minute of Assembly, made the Sixteenth Day of *March* last, we have made Enquiry into, and collected all the Proofs we could procure relating to *Moses Dickey's Loss of One Hundred and Seventy Five Pounds, &c. Pennsylvania Currency*; and do lay the same before the Honourable House for their Consideration.

Philadelphia, June 15, 1759.

CHARLES NORRIS,
THOMAS LEECH,
JAMES WRIGHT."

Then the House adjourned to the Second Day of *July* next, at Four o'Clock in the Afternoon.

July 2, 1759.

Mr. Speaker, with Twenty of the Members, met pursuant to Adjournment, but a Quorum not appearing, they adjourned to Ten o'Clock To-Morrow Morning.

July 3, 1759.

The Speaker, with a Quorum of the Members, met pursuant to Adjournment, and resuming the Consideration of the Governor's Message of the Ninteenth *ultimo*, sent down to the House with the Bill, entitled, "*An Act for recording Warrants and Surveys, &c.*" after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Masters* and Mr. *Pearne* be a Committee to prepare and bring in a new Bill for the said Purpose, more agreeable to the Plan recommended in the said Message.

The the House adjourned to Four o'Clock, *P. M.*

The Committee appointed to prepare and bring in a Bill for recording of Warrants and Surveys, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same having been once read, was by special Order read the second time, and ordered to be transcribed for a third Reading.

Mr. Speaker laid before the House a Letter addressed to him from *John Watson*, junior, appointed by the late remitting Act of a Trustee of the General Loan-Office for the County of *Bucks*, desiring Leave of the House, for particular Reasons, to resign that Trust, which said Letter was read, and referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

July 4, 1759.

The Bill for recording of Warrants and Surveys, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the same do pass

A Member then presenting to the Chair a Paper of Remarks upon the Observations sent down by his Honour on the former Draught of a Bill for the said Purpose, the same were read, and it being moved that a short Message from the House be prepared to accompany the said Bill and Paper of Remarks, a Draught thereof was essayed at the Table, which being read, was agreed to, and follows in these Words, *viz.*

May it please your HONOUR,

WE have carefully considered the Observations sent down with the Bill, entituled, "*An Act for recording Warrants and Surveys, &c.*" and have framed a new one upon the Plan of that formerly laid before your Honour. In this Bill we have taken in such Parts of those Observations as we judge reasonable or necessary, and we cannot but observe, that the other Parts of them appear to us contradictory to each other, or inconsistent with the Usage of a *British* Parliament, our own Province, and that of a neighboring Government. We herewith send such Remarks made upon those Observations by a Gentleman of the Law, a Member of our House, in Point of Law and Reason, as we hope will prove satisfactory to your Honour, and obviate all Objections, and that, upon considering the great Importance of this Bill to the Freeholders and Inhabitants of this Province, you will be pleased to give your Assent to it as now sent up by the House.

Signed by Order of the House,
ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Baynton and Mr. Wayne do wait on the Governor with the said Bill for his Concurrence, and deliver the Paper of Remarks with the foregoing Message, and acquaint his Honour, that the House have adjourned till To-morrow Afternoon, in order to give him Leisure to consider the Bill now presented to him, and will be glad to know his Result thereon by that Time, as it must prove highly inconvenient and prejudicial to the Country Members to be detained only a few Days longer from their Affairs at Home.

Then the House adjourned to Four o'Clock To-morrow, *P. M.*

July 5, 1759.

The Members appointed to wait upon the Governor with the Bill for recording Warrants and Surveys, &c. and the Mes-

sage of the House, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he was sensible how inconvenient the Sitting of the House at this busy Season must be to the Country Members, and would therefore take the said Bill into his immediate Consideration, and give it all the Dispatch in his Power.

The Governor, by Mr. Secretary, sent down the Bill for recording Warrants and Surveys, &c. with the following verbal Message, *viz.*

"The Governor commands me to return the Bill, entitled, *"An Act for recording Warrants and Surveys, and for rendering the real Estate and Property within this Province more secure,"* and to inform the House, that he cannot give his Assent to it as it now stands, but if the House desires, it, he will communicate to them by me the Heads of such a beneficial and reasonable Bill as he is willing to pass; the necessary Amendments being too numerous to be inserted in the present Bill."

The Secretary then withdrawing, and the House having considered the verbal Message delivered by him, he was again admitted, and asked from the Chair, whether he had the Heads of a Bill mentioned in the said Message committed to Writing, and then about him? To which replying he had, and presenting them at the Table, he withdrew, and the same being once read,

The House adjourned to Ten o'Clock To-morrow Morning.

July 6, 1759.

The Governor's verbal Message, by the Secretary, together with the Heads of a Bill for erecting the Offices of Secretary and Surveyor-General into public Offices, &c. sent down by his Honour last Night, being again read through, and considered.

Ordered, That Mr. *Lecch*, Mr. *Galloway* and Mr. *Masters* be a Committee to prepare and bring in a Draught of a Message to the Governor, in Answer to his verbal Message of Yesterday, delivered by the Secretary, with Heads of a Bill for the Purposes aforesaid.

The said Committee reported, they had essayed a Draught, in Answer to the Governor's Message of Yesterday, which they delivered at the Table, and the same being read, and agreed to, was signed by Mr. Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

HOWEVER unprecedented it may be for Governors to send down Heads of Bills to the Assemblies of this Province, we

have, in order, if possible, to obtain a Bill so important and necessary to the Security of the Property of the People, as that for recording Warrants and Surveys, &c. considered those laid before us by your Honour therewith; but as the Approach of Harvest renders the Presence of the Country Members immediately necessary at Home, we have not Time now to point out all the numerous Contradictions, Defects and Mischiefs a Bill formed agreeable to them would introduce. One, however, we cannot help taking Notice of.

With respect to Matters of Property, our Proprietaries must ever be considered in the Light of private Individuals, as much as any of the King's Subjects in the Province; and as they are the Landlords, of whom the People hold their real Estates, their Interest in this respect is diametrically opposite to that of the People. To prove this, many Instances may be given where by some Means, the Securities and Evidences of the People's Rights have been lost and destroyed, and their Lands have been sold over again, to the great Prejudice of the true Owners; to form a Bill therefore for securing the Evidences and Vouchers of the Rights of the Inhabitants, and to prevent future Impositions and Frauds that may be perpetrated by the Proprietary Officers on the Property and Possessions of Persons beyond Sea, Orphans and Minors; and by the same Bill to entrust those Evidences and Vouchers in the Hands and Power of those very Officers, who, we are informed, are under private Oaths and Securities to the Proprietaries, would be such an Instance of legislative Inconsistency as no good Policy can justify; for by this Means that very State of Insecurity of the People's Rights, which has been occasioned by the Want of a Law, would be established and confirmed by the Law itself.

Against this Mischief, with many others, the Bill lately presented to your Honour was intended, and does equitably provide, without doing any Injury to the Proprietaries; we therefore again entreat the Governor to reconsider it, and give his Assent thereto, as it is a Bill of the greatest Importance to the Welfare of the People committed to his Care.

Signed by Order of the House,
ISAAC NORRIS, *Speaker."*

July 6, 1759.

Ordered, That Mr. Galloway and Mr. Chapman do wait on the Governor with the foregoing Message, and deliver to him the Bill returned Yesterday by the Secretary, for his further Consideration and final Result.

The Governor, by Mr. Secretary, sent down to the House an Extract of a Letter from Brigadier General Stanwix to his

Honour, dated at *Lancaster*, the Second of this Instant, with the following verbal Message, *viz.*

SIR,

"I am commanded by the Governor to lay before the House an Extract of a Letter he has just now received from Brigadier General *Stanwix*, and his Honor most earnestly recommends the General's Requests to their most immediate Consideration."

The said Extracts from the General's Letter being read, follow in these Words, *viz.*

"For God's Sake, Sir, press the Assembly for the same Law as last Year, with the Penalty of *Twenty Pounds*, though it be but for four or five Months, it will be of infinite Use to us."

"The Light Horse must not be forgot; to grant which I hope the Assembly will comply, if the Commissioners cannot do it of themselves: every Body tells me that the Service on the Communication will go on very heavily without them."

"A Post was regularly kept last Year by the Assembly for the Communication; hope they will not treat me worse than they did General *Forbes*."

The Members appointed to wait on the Governor with the Message of the House, and return the Bill for recording of Warrants and Surveys, &c. sent down Yesterday by the Secretary, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into his immediate Consideration, and give it all the Dispatch in his Power.

The House then taking into Consideration the Extracts from the General's Letter, with the Governor's verbal Message attending them, and having spent some Time therein,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters*, Mr. *Strickland*, Mr. *Ashbridge* and Mr. *Morton* be a Committee to draw up a Message to the Governor, in Answer to the several Requests made by Brigadier General *Stanwix*, in the said Extracts from his Letter of the Second Instant.

Then the House adjourned to Ten o'Clock To-morrow Morning.

July 7, 1759.

The Committee appointed to prepare a Message to the Governor, in Answer to the Extracts from General *Stanwix's* Letter, sent down by the Secretary, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, was, after some alterations, agreed to, and follows in these Words, *viz.*

May it please your HONOUR,

WE have considered the several Requests of General *Stanwix*, sent down by your Honour, and are of Opinion, that had the late General *Forbes* complied with his Contract in furnishing Forage, and paying the Inhabitants for their Waggon and Horsehire last Year, there had been no Use or Occasion for a further Law to impress Carriages, nor would such Occasion continue, were those Contracts even now paid off and discharged, as both his Majesty's Service and Justice to the People loudly demand: For there can be no Doubt but the same People, who with so much Chearfulness entered their Waggons and Horses into the King's Service last Year, were they rendered capable by receiving their just Due from the Crown, would with the same Readiness enter into the like Service again: We therefore request the Governor would recommend to the General, as the most effectual Method of procuring Waggons, and carrying on the present Expedition, to order immediate Payment of the Sums so long due on the old Contract; without which many People, who have Waggons, and are desirous of serving the King, are not able to fit them out: We cannot doubt the General's Compliance, as his Majesty's Service is so essentially concerned therein, and as this Government has lent the Crown the large Sum of *Fifty Thousand Pounds* for this very Purpose; We must further remark, that it will be little avail for the Legislature to make Laws respecting the Hire of Carriages, since we have found those heretofore made have been in a great Measure disregarded by the General, and Terms by no Means so beneficial to the People, as those directed by the Law, forced upon them: this must certainly not only discourage the Service, but the Legislature from complying with the General's Request, until they have Reason to believe the Laws they shall make will be executed and obeyed by him.

We know, from the late Experience, that the Expence of two Troops of Light Horse will be very considerable, and the Aids granted to the Crown, for the current Year's Service, being nearly expended, it is not in our Power to comply with the General's Request relating thereto.

It is true, the Assembly, at the Desire of General *Forbes*, did establish a Post, and the Provincial Commissioners Post-horses, for carrying Dispatches to and from the Communication; but upon Experience they found, that though it was attended with an extraordinary and heavy Expence, yet it did not lessen the Charge which before accrued on that Article. the Business being principally done by special Expresses.

Signed by Order of the House,
ISAAC NORRIS, *Speaker."*

July 7, 1759.

Ordered, That Mr. *Morton* and Mr. *Saunders* wait on the Governor with the foregoing Message, and acquaint him, that the House desire to know his final Result on the Bill before him. as soon as possible, as they design to adjourn from this Afternoon to the Tenth Day of *September* next, if his Honour hath no Objection thereto.

The Governor, by the Secretary, sent down the Bill, entitled, "*An Act for recording Warrants and Surveys*," &c. with one Amendment thereon, and a verbal Message, that if the House should agree to admit the same, his Honour will pass the said Bill whenever they shall present it to him for that Purpose.

The Members appointed to wait on the Governor with the Messages of the House, reported, they had delivered the same according to Order; to which his Honour was pleased to say, he had just sent the Secretary down with the Bill for recording Warrants and Surveys, &c. to the House, and had no Objection to their proposed Term of Adjournment.

The House then taking into Consideration the Governor's proposed Amendment, and, after some Time spent therein, having agreed to admit the same by an additional Clause to the Bill, which was drawn at the Table,

Ordered, That Mr. *Galloway* and Mr. *Baynton* wait on the Governor with the said Clause, containing the Substance of his proposed Amendment, for his Assent to the Same.

The Members return, and report, they had waited on the Governor with the said additional Clause to the Bill for recording Warrants and Surveys, &c. which his Honour had been pleased to approve, and to acquaint them, he would attend in the Council Chamber at Four o'Clock this Afternoon, to enact the said Bill into a Law.

Ordered, That the said Clause be immediately transcribed, and added to the Bill.

Then the House adjourned to Four o'Clock, *P. M.*

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber, to enact the Bill, to which he hath given his Assent, into a Law.

Ordered, That Mr. *Galloway* and Mr. *Baynton* do see the Great Seal affixed to the said Bill, after it shall be enacted into a Law, and the same deposited in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour with the

Bill, entitled, "*An Act for recording of Warrants and Surveys, and for rendering the real Estates and Property within this Province more secure,*" to which the Governor had been pleased to give his Assent, by enacting the same into a Law.

Resolved, That the Sum of *One Thousand Pounds* be allowed and given to the Honourable *William Denny, Esq*; Lieutenant Governor of this Province, for the Remainder of his Support, to be paid out of the first Money that shall be hereafter raised for the public Service.

Resolved, That an Order be drawn upon the Provincial Treasurer for the above Sum of *One Thousand Pounds*, and presented to the Governor by Mr. Speaker.

Whereas the Honourable *William Denny, Esq*; hath passed sundry Laws for granting Aids to his Majesty for the general Defence of his Colonies, and other Laws very beneficial to the People of this Province, against the Advice of a Majority of the Proprietary Council, and notwithstanding the Instructions of the Proprietaries to the contrary, and whereas the said Council is not any Part of our Legislature, and all Instructions and Bonds given to observe the same, which tend to abridge the Governor of the Province of his "best Discretion," in Matters of Legislation, are contrary to the express Terms of the Royal Grant to the first Proprietary and the People of this Province; therefore,

Resolved, N. C. D. That in case the Proprietaries shall prosecute or sue the Honourable *William Denny, Esq*; the present Governor of this Province, for the Breach of any Instruction, in passing any of the said Bills, this House will, as far as in them lies, support the said Governor in the Defence of such Suit, in order to the Determination of the Validity and Legality of such Instructions, in Opposition to the Royal Grant, and the Charters and Laws of this Province, and that they will give Orders to their Agents in *London* for that Purpose, and also will, and do hereby, recommend the same to the next succeeding Assembly.

The House then adjourned to *Monday*, the Tenth Day of *September* next, at Four o'Clock in the Afternoon.

August 29, 1759.

THE Representatives of the Province having been, by Virtue of the Governor's Writs to the several Counties, for that Purpose directed, summoned to meet him this Day in Assembly, a Quorum met accordingly, and being acquainted that Mr. Speaker, through Indisposition, was incapable of attending the Service of the House, they proceeded to the Choice of

another in his Room, and THOMAS LEECH, Esq; was unanimously chosen Speaker, *pro Tempore*, and placed in the Chair.

Ordered, That Mr. *Baynton* and Mr. *Wayne* wait on the Governor, and acquaint him, that the House are met, and desire to be furnished with a Copy of the Writ by which they were summoned.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

August 30, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would order a Copy of the Writ, by which he had called the House, to be laid before them, with some other Papers on Business of great Importance, at Three o'Clock this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a Copy of his Writ for calling the House, and the same being read,

Ordered, That Mr. *Pearne*, Mr. *Masters*, Mr. *Smith*, Mr. *Hunt*, Mr. *Saunders*, Mr. *Boone* and Mr. *Beeting* wait on the Governor, and acquaint him, that Mr. *Norris* being, through Indisposition, unable to attend the Business of the Public, the House have been obliged to chuse another of their Members Speaker in his Room, and request to know when his Honour will be pleased to receive them, in order to present their new Choice for his Approbation.

Mr. Secretary laid before the House a written Message from the Governor, with some Letters from Brigadier General *Stanwix*, and sundry other Papers therein referred to, which were severally read, and the said Message and Letters are as they respectively follow, *viz.*

GENTLEMEN,

'I WAS obliged to call you together before the Day of your Adjournment, to lay before the House Letters I have received from General *Stanwix*.

'I desire you will be pleased to take into your serious Consideration the peculiar Advantages that will arise to this Colony by your complying with the General's Request. Extending our *Indian* Trade, securing the Lives of the Inhabitants, and improving the many Advantages lately gained over the Enemy, are Motives that I flatter myself will excite your Zeal and Loyalty in promoting his Majesty's Service on this important Occasion.

'Having had the Pleasure of receiving from General *Amherst*

a particular Account of his late Successes, I send you his Excellency's Letter, with some other Papers of Intelligence from the Westward.

August 30, 1759.

WILLIAM DENNY."

General STANWIX's Letter to the GOVERNOR,

Dear SIR,

Bedford, August 13, 1759.

I AM sorry to be under a Necessity of acquainting you, that after exerting my utmost Endeavours, and all the active Assistance you was pleased to give me, I cannot yet procure a sufficient Number of Waggons to transport the Provisions necessary for the Maintenance of the Army under my Command.

The County of *Lancaster*, our chief Dependance, is the most backward, and *Bucks* and *Chester* have given us only nominal Assistance, by sending us impressed Waggons, unfit for the Service, by the Weakness of the Horses and Carriages. The Managers meet with more Opposition in these two Counties than in any of the others, as the Magistrates seem unwilling to disoblige them, and unless they are spurred by the Fear of incurring your Displeasure, I am afraid they will not exert their Authority in such a Manner as will answer the Purpose.

It is with Reluctance that I must trouble you again upon this Subject, but being stopped in my March, for Want of a sufficient and certain Succession of Carriages, I am obliged to have Recourse to you to extricate me out of this Difficulty.

I have wrote the enclosed circular Letter to the Managers of each County, to spirit them up, and endeavour to make the best Use of this most favourable Opportunity.

Exclusive of the great Supply of Provisions necessary for the Troops, Waggons, Horse-Drivers, &c. there has constantly been Hundreds of *Indians* to feed at *Pittsburg*, which has sunk that Magazine as fast as it could be supplied; and the Demand for Carriages for *Indian* Goods, Cloathing for Provincial Troops, and other necessary Stores, has also contributed to prevent any considerable Magazine of Provisions being formed at that Post.

I must beg you will make Application to the Assembly for the immediate furnishing me with two Companies of Shipwrights, and other necessary Artificers, to be employed, as soon as possible, in building proper Vessels on Lake *Erie*, to secure the Command of that Water, the Trade and friendly Intercourse with the Overlake *Indians*, and preserve the Communication with *Niagara*. I am,

SIR, Your most obedient and most humble Servant,

JOHN STANWIX."

General STANWIX's second Letter to the GOVERNOR.

SIR,

Camp at Fort Bedford, August 16, 1759.

I INCLOSE you herewith the Copy of my Intelligence from Colonel *Mercer*, and Captain *Croghan*, to which I refer you.

As your Assembly now sits, as I am informed, must again beg you would lay before them the Necessity of passing a Law for three Months, as last Year, with a Penalty of *Twenty Pounds*, to be levied upon those who refuse to send their Waggons to Fort *Bedford*, when thereto called upon by the lawful Magistrate, to make good the Quota of every Township in the different Counties of the Province, for the Transporting Provisions; and without such a Law the Service of this (which in all Probability will be the last) Campaign cannot be carried on, not having yet got one Half of the Waggons wanted; they value not the present Penalty, as the Magistrates write me, of *Forty Shillings*, which goes to the Parish, and they pay with Ease, to get clear of the Service. I have no Doubt but you will use your utmost Influence with the Assembly to pass this Law, from which I shall receive so much Assistance, as to be able to finish every Service this Way before the Winter comes on.

I rejoice with you sincerely upon all the good News we have so lately received from *Niagara* and *Ticonderoga*, and hope to have the Continuance of it from General *Wolfe*. I am, Sir, with great Truth,

Your most obedient humble Servant,

JOHN STANWIX."

The Papers referred to in the foregoing Message, and Letters sent down by the Governor, were severally read, and respectively entitled as follow, viz.

No. 1. A circular Letter, dated August 13, 1759, from Brigadier General Stanwix to the Managers for Waggons. 2. Copy of Intelligence received from Pittsburg, dated August 13. 3. A Letter from his Excellency General Amherst, dated at Crown-Point, August 8, containing an Account of his Successes at that Place and *Ticonderoga*, against the Enemy. 4. Minutes of Conferences held at Pittsburg in July last, by George Croghan, Deputy Agent to Sir William Johnson, Baronet, his Majesty's Superintendant for Indian Affairs in the Northern District of America, with the Chiefs and Warriors of the Six Nations, Delawares, Shawanese and Wyondots; which last represent eight other Tribes. 5. A Letter from General Amherst, dated at Crown-Point, August 14, inclosing a Copy of the Cartel, concluded and agreed upon between our Court and

that of *France*, for the Exchange and Ransom of Prisoners. 6. *A Letter from Colonel Mercer, Commandant at Pittsburg, to the Governor, dated August 6, relating to Indian Affairs.* 7. *Paper of Indian Intelligence, inclosed in the said Letter from Colonel Mercer.* 8. *A second Letter from Colonel Mercer, dated at Pittsburg, August 12, with an Account that the French had abandoned and burnt Venango, &c.* 9. *A third Letter to the Governor from Colonel Mercer, dated at Pittsburg, August 13, covering the latest Intelligence from Niagara, and the Enemy's Posts upon the Ohio.*

The Members appointed to wait on the Governor with the Message of the House, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be ready to receive the House in the Council Chamber, at Twelve o'Clock To-morrow, in order to present their Speaker.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

August 31, 1759.

A Message by Mr. Secretary:

SIR,

"The Governor desires the Attendance of the House in the Council Chamber, in order to present their Speaker."

Then Mr. Speaker with the whole House waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on his Honour, and presented their Speaker, of whom he was pleased to approve, and that the Speaker had then said, that as the late Speaker had claimed the usual Privileges, it was needless for him to repeat them, except so far as related to himself in the Capacity of Speaker, *viz.* That his unwilling Mistakes might be excused, and not imputed to the House.

The House then resumed the Consideration of the Governor's Message of Yesterday, and the General's Letters sent down therewith, and having spent some Time therein, adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Consideration of the General's Letters, and the Governor's Message, which were again read, and after some Debate thereon,

Ordered, That Mr. Galloway, Mr. Masters, Mr. Watson, Mr. Morton and Mr. Saunders be a Committee to prepare and bring in an Answer to the said Message from his Honour.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 1, 1759.

The Committee appointed to prepare and bring in a Draught of a Message, in Answer to the Governor's, reported, they had made an Essay for that Purpose, which they presented at the Table, and the same being read, and agreed to, was ordered to be transcribed, and follows in these Words, *viz.*

May it please your HONOUR,

After the explicit Answer of the Seventh of *July*, given by this House, through your Honour, to General *Stanwix's* Application for a Law to enforce the procuring of Carriages, we are surprised he should renew it, without taking the least Notice of our Reasons for declining such a Measure.

The most effectual Mode of procuring Carriages for the Crown, we then informed him, and still apprehend, is to order immediate Payment of the Sums due on the old Contract; the Want whereof must have been a very considerable Objection to that Zeal and Readiness which have been shewn, on every Occasion, by the People of this Province to promote the Service of the Crown, and indeed has rendered it impracticable for many, who are willing and desirous to fit out Carriages for the Expedition: Besides, we are of Opinion, that the Prices the General offers for Carriages and Drivers, are by no Means adequate to the Risk and Service expected from them, and are much inferior to the Terms fixed and established by a Law made for that Purpose: This manifestly appears from long Experience; the several Townships which have fitted out Carriages, being obliged to give large Bounties for their Waggons and Drivers, over and above the Wages offered by the General for that Service, which has been a very great additional Burden to our present Taxes, and an heavy Contribution on the People.

We must beg Leave to remark to your Honour, that while the General shall continue entirely to disregard the Law already made for the procuring of Carriages, we can have little Encouragement to frame another for that Purpose. We therefore request your Honour will be pleased to recommend it to the General to pay off the old Contracts, and to comply with the said Law, and give the People such a reasonable Price as will enable them to serve the Crown without Loss, which will be the only Method of procuring the Carriages wanted for the present Expedition.

As to the General's Demand of two Companies of Shipwrights, and necessary Artificers, we cannot agree to it, as the large Supplies we have already granted are nearly expended,

and the Province has fully complied with the Requisitions of the Crown, by the Secretary of State's Letter.

Signed by Order of the House,

September 1, 1759.

THOMAS LEECH, *Speaker.*"

Ordered, That Mr. *Wayne* and Mr. *Beeting* wait on the Governor with the foregoing Message, and acquaint his Honour, that the House have adjourned to the Tenth of this Instant, the Time of their former Adjournment.

Ordered, That Mr. *Galloway*, Mr. *Hughes*, Mr. *Masters*, Mr. *Watson*, and Mr. *Morton* be a Committee to prepare a Bill, against the next Meeting of the House, for rendering the Expence of fitting out Waggon's for his Majesty's Service more equal on the Inhabitants.

Then the House adjourned to *Monday*, the Tenth of this Instant, at Four o'Clock in the Afternoon.

September 10, 1759.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Baynton* and Mr. *Wayne* wait on the Governor, and acquaint him, the House being met, pursuant to their Adjournment, desire to know if his Honour hath any Business to lay before them.

Mr. *Webb* desiring Leave of the House to be absent on public Business for the remaining Part of the present Sitting, was excused accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 11, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had been at his House for that Purpose, but were informed his Honour was not in Town.

Four Petitions from a Number of Inhabitants of the Townships of *East-Bradford*, *Trediffren*, *Whiteland*, &c. in the County of *Chester*, were presented to the House and read, setting forth, that the Expence of supplying Waggon's for the King's Service hath been hitherto very unequally borne by the said Townships, and praying a Law may be enacted to prevent such Inequality therein for the future.

The Committee appointed, in a former Sitting of the House, to prepare and bring in a Bill for amending the Laws for establishing Courts of Judicature in this Province, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion of the Provincial Commissioners,

Ordered, That Mr. *Pearne*, Mr. *Chapman*, Mr. *Gibbons*, Mr. *Saunders*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Beeting* be a Committee to inspect the Accounts of the said Commissioners, for the Disposition of the Sum of *One Hundred Thousand Pounds*, granted to his Majesty for the Year 1758, and report thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 12, 1759.

The Members appointed to wait on the Governor, and acquaint him, that the House were met, pursuant to Adjournment, and ready to receive any Business his Honour might have to lay before them, reported, they had again waited on the Governor, and delivered their Message according to Order; in Answer to which he was pleased to say, he had nothing to communicate to the House, which required their immediate Attention.

The Bill for supplying sundry Defects in the Act for establishing Courts of Judicature in this Province, being again taken up, was in Part read the second time, and debated.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for supplying Defects in the Act for establishing Courts of Judicature in this Province, and having spent some Time therein, adjourned to Ten o'Clock To-morrow Morning.

September 13, 1759.

The House being acquainted, that *John Watson*, junior, appointed a Trustee of the General Loan-Office for the County of *Bucks*, by an Act lately passed for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan, &c. had declined accepting of, or acting in, the said Trust, whereby it is become necessary that some Person be nominated in his Room;

Ordered, That Mr. *Hughes*, Mr. *Fox*, Mr. *Hogeland* and Mr. *Ashbridge* be a Committee for preparing and bringing in a Supplement to the above-mentioned Act, and for appointing a new Trustee in the Room of the said *Watson*.

Ordered, That Mr. *Fox*, Mr. *Watson*, Mr. *Gibbons* and Mr. *Saunders* be a Committee for incidental Charges.

Then the House adjourned to Four o'Clock To-morrow, in the Afternoon.

September 14, 1759.

The Committee appointed to prepare and bring in a Supplement to the Act, entitled, "*An Act for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan,*" &c reported, they had essayed a Draught for that Purpose, which they begged Leave to present to the Chair, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 15, 1759.

The Committee appointed to prepare and bring in a Supplement to the Carriage Act, for rendering the Expence of furnishing Waggons for his Majesty's Service more equal on the Inhabitants of the several Townships of this Province, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Supplement to the Act, entitled, "*An Act for re-emitting the Bills of Credit of this Province, heretofore re-emitted on Loan,*" &c. which being read the second time, and debated, was ordered to be transcribed for a third Reading.

Ordered, That such of the loose Laws of this Province as are not bound up in the two Volumes thereof already completed, be collected and bound up into a third Volume, and that such further Laws as shall be enacted after the present Session, do begin with No. 1. instead of continuing the successive Numbers from the End of the said third volume.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

September 17, 1759.

Mr. Speaker and Twenty of the Members met, pursuant to Adjournment, but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

September 18, 1759.

The House met, pursuant to their Adjournment.

A Petition from a Number of Merchants, and others, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Exportation of Bread from the said City has been, for many Years past, a very considerable and profitable Branch of Trade to this Province, yet of late, from large Quantities of coarse and unmerchantable Bread being exported, the former Credit of that Commodity has been greatly diminished abroad, and the Petitioners fear, will be

entirely lost, unless the Legislature provide a speedy Remedy; and praying the House would be pleased to take a Matter of so much Importance to the Trade of this Colony, into their serious Consideration, and make such Regulations therein as they judge necessary.—*Ordered to lie on the Table for the Perusal of the Members.*

A Petition from divers Inhabitants of the Township of *Kennet*, in the County of *Chester*, was presented to the House and read, praying a Law may be enacted, for rendering the Expence of supplying Carriages for his Majesty's Service more equal on the Inhabitants of the said Township in general.—*Referred to further Consideration.*

The House being acquainted by one of its Members, that he had read in the *South-Carolina Gazette*, of the Eleventh of *July* last (No. 35) an Extract of a Letter to a *French* Correspondent, found on board the Sloop *Greyhound*, one *Power* Commander, said to be owned by some People in *Philadelphia*, containing certain imperfect Words, wrote with only initial and final Letters, which he apprehended gave Ground to suspect some Persons in Public Trust amongst us, of being not only concerned in supplying his Majesty's Enemies with Provisions, but of exercising an undue Influence on the Commander of the Provincial Ship of War, in Favour of such illicit Trade, and producing the said Extract in Assembly, the same was read, and being considered,

Ordered, That the Commissioners of the *Pennsylvania* Frigate have Notice to attend the House at Ten o'Clock To-morrow morning.

The Supplement to the Act, entitled, "*An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c.*" being transcribed, was read the third time, and a Member moving for a Rider thereon, the same was drawn at the Table, and being read three times, was agreed to, and admitted.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Melvin* and Mr. *Strickland* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Supplement to the Act, entitled, "*An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c.*" reported, they had been at his House, in order to deliver the same, but were acquainted, he was just gone out of Town, and would not return till To-morrow about Noon.

The House resumed the Consideration of the Bill for supplying sundry Defects in an Act for establishing Courts of Judicature in this Province, which being in Part read the second time, and debated,

The House adjourned to Ten o'Clock To-morrow Morning.

Sept. 19, 1759.

All the Ship Commissioners (except Mr. *Child*, who was prevented by Sickness) attending the House, pursuant to Notice given them for that Purpose, were called in, and the Extract from the *South-Carolina Gazette* being read to them, they were acquainted from the Chair, that as the said Extract appeared to contain an infamous Charge on one of their Body, as well as a Reflection on the Assembly, by whom they were appointed, the House could not but look upon it as their Duty to enquire into the Foundation thereof, and therefore now desired they would separately, and each for himself, declare, whether they had any Knowledge of the Letter from which the said Extract was taken, before the same was published in the *South-Carolina Paper*? To which they all answered severally in the Negative; and upon being further asked, whether any of them had wrote to the *Carolina Printer*, respecting the said Letter? Each replied he had not, further than was contained in the Advertisement published by them.—Mr. *Rundle*, however, acquainted the House, he had wrote to his Correspondent in *Charles-Town*, to enquire after the said Letter, but had not received any Answer from him.—They then withdrew.

Upon Motion,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Hughes*, Mr. *Watson*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *Allen*, Mr. *McConaughy*, Mr. *Boone* and Mr. *Beeting* be a Committee to prepare and bring in a Bill to enable the Agents for this Province in *Great Britain*, to receive such a Part of the Sum of Money granted by Parliament for reimbursing the *American Colonies*, as may be the Allotment to *Pennsylvania*.

The Members appointed to wait on the Governor with the Supplement to the Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Four o'Clock, P. M.

The House resumed the Consideration of the Bill for supplying sundry Defects in the Act, entituled, "*An Act for establishing Courts of Judicature in this Province*," and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

Sept. 20, 1759.

The House again took up the Bill for supplying sundry Defects in the Act, entitled, "*An Act for establishing Courts of Judicature in this Province*," and having spent some Time therein, adjourned to Four o'Clock, P. M.

The House proceeded in the Consideration of the Bill for supplying sundry Defects in the Act, entitled, "*An Act for establishing Courts of Judicature in this Province*," and, after further Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

September 21, 1759.

The House resumed the Consideration of the Bill for supplying sundry Defects in the Act, entitled, "*An Act for establishing Courts of Judicature in this Province*," which was further read, and debated.

The Governor, by Mr. Secretary, sent down the Supplement to the "*Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c.*" with some Amendments thereon, which were read, and referred to further Consideration.

Then the House adjourned to Four o'Clock, P. M.

The House proceeded in the Consideration of the Bill for supplying sundry Defects in the Act, entitled, "*An Act for establishing Courts of Judicature in this Province*," which being read through the second time, and debated, the Question was put, Whether the said Bill shall be transcribed for a third Reading? And the same was resolved in the Negative; whereupon the Bill was dashed.

Ordered, That Mr. Galloway, Mr. Pearne, Mr. Strickland, Mr. Grubb, Mr. Saunders and Mr. M'Connaughy be a Committee to prepare and bring in a Bill for rendering the Judges of the Supreme Court, and Court of Common Pleas independent, by holding their Commissions *quamdiu se-beene gesserint*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 22, 1759.

The Committee appointed to prepare and bring in a Bill for rendering the Judges of the Supreme Court, &c. independent, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being once read, was again taken up by special Order, read the second time, and ordered to be transcribed.

The House resumed the Consideration of the Governor's Amendments on the Supplement to the Act, entitled, "*An Act*

for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c." and having agreed upon an Answer thereto, the same was transcribed, in order to be sent up to his Honour with the said Bill.

The Supplement to the Act, entitled, "*An Act for establishing Courts of Judicature in this Province*," being transcribed was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Galloway and Mr. Roberdeau wait on the Governor therewith for his Assent to the same, and also return to his Honour the Supplement to the Re-emitting Act, with the Answer of the House of his Amendments thereon.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

September 24, 1759.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Supplement to the Re-emitting Act, and the Act for establishing Courts of Judicature in this Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them into Consideration, and give them all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 25, 1759.

The Committee appointed to prepare and bring in a Bill for empowering the Agents to apply for, and receive, the distributive Share and Proportion which shall be assigned to this Province of the Sum of Money granted to his Majesty's Colonies in *America*, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered a second Reading.

It being moved, that a Bill be brought in to continue the Act, entitled, "*An Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton*," the same was drawn at the Table, and being read the first time, was ordered a second Reading.

Upon Motion, That the Petition of the Merchants, and others, of the City of *Philadelphia*, for an Act to prevent the Exportation of bad and unmerchantable Bread, be again read, and further considered, it was

Resolved, That the Prayer of the said Petition be recommended to the early and serious Consideration of the next

succeeding Assembly, as a Matter of great Importance to the Trade of this Province.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for appointing an Agent to apply for, and receive, the distributive Share and Proportion which shall be assigned to this Province, of the Sum of Money granted by Parliament to his Majesty's Colonies in *America*. Also of the Bill to continue the Act, entituled, "*An Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton;*" both which Bills being read the second time, and debated, were ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 26, 1759.

The Bill for appointing an Agent to apply for, and receive, the distributive Share and Proportion which shall be assigned to this Province, of the Sum of Money granted by Parliament to his Majesty's Colonies in *America*: Also the Bill to continue the Act, entituled, "*An Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton,*" being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. *Hughes* and Mr. *Wayne* wait on the Governor therewith, for his Assent to the same, and acquaint his Honour, the House desire to know when they may expect his Result upon the two Bills which have been some Days before him.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the two Bills passed by the House in the Forenoon, reported, they had been at the Governor's, in order to deliver the same, but were acquainted his Honour was not at Home.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 27, 1759.

The Members appointed to wait on the Governor with the above-mentioned Bills, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them into immediate Consideration, and acquaint the House with his Result, as well on them as the others before him, with all convenient Dispatch.

The Governor, by Mr. Secretary, sent down the Supplement to the Act, entituled, "*An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, &c.* with further Amendments thereon, which were read, and an Answer thereto being prepared and agreed to by the House,

Ordered, That Mr. Galloway and Mr. Hughes wait on the Governor with the same, and return the said Bill for his further Consideration.

Then the House adjourned to Four o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

September 28, 1759.

The Committee appointed to inspect the Provincial Commissioners Accounts of the Disposition and Application of *One Hundred Thousand Pounds*, granted last Year to the King's Use, delivered their Report thereon at the Table, which was read, and follows in these Words, *viz.*

WE the Committee nominated to audit and examine the Accounts of the Provincial Commissioners, appointed to dispose of the Sum of *One Hundred Thousand Pounds*, granted to the King's Use, for the Service of the Year 1758, by an Act entituled, "*An Act for granting the Sum of One Hundred Thousand Pounds to his Majesty's Use, and for striking the same in Bills of Credit, and for continuing the several Acts of Assembly of this Province hereinafter mentioned, for sinking the Bills of Credit so to be struck at the Times and in the Manner herein after directed and appointed;*"—Report, that we have carefully examined all the said Commissioners Accounts, relative to the Disposition of the said Grant, and do find, as well from their Orders drawn on the Trustees of the General Loan-Office, as from Receipts, and other sufficient Vouchers produced to us, that the whole Sum of *One Hundred Thousand Pounds* aforesaid (except a Balance of *One Hundred and Thirteen Pounds Fourteen Shillings and Five Pence*, remaining in the Hands of James Young, Paymaster, to be accounted for in his next Settlement) has been carefully and duly applied to the several Purposes for which the same was granted, and to no others whatsoever.

And as your Committee have not, at present, sufficient Leisure for stating a full Account of the said Grant, according to the Usage of former Assemblies, we pray that Directions may be given to the Trustees of the General Loan-Office, that from the Orders drawn by the said Commissioners, they make out an Account of the said *One Hundred Thousand Pounds*, to

whom paid, and to what Purposes appropriated, as particularly expressed in the above mentioned Orders, that the same may be published with the votes of this House, for the Satisfaction of the Public.

RICHARD PEARNE,
JOSEPH GIBBONS,
ISAAC SAUNDERS,
DAVID M'CONNAUGHY,
JAMES BOONE,
LUDOWICK BEETING."

Ordered, That the Trustees of the Loan-Office do prepare an Account of the said *One Hundred Thousand Pounds*, as expended by the said Commissioners. to be published with the Votes of the House, agreeable to the Request of the Committee.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, returned the Supplement to the Re-emitting Act, and acquainted the House, that he withdrew his Amendments thereon.—With the said Bill, Mr. Secretary also brought down the "*Supplement to the Act for establishing Courts of Justice in this Province;*" the "*Act for appointing an Agent to receive the distributive Share and Proportion which shall be assigned to this Province, of the Sum of Money granted by Parliament to his Majesty's Colonies in America;*" and the "*Act to continue an Act for directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton;*" with a verbal Message, that his Honour will pass the said Bills, and recommends to the House, to have them engrossed by Twelve o'Clock To-morrow, at which Time he will attend in the Council Chamber, to enact the same into Laws.

The Governor likewise laid before the House, by the Secretary, a Letter from General *Stanwix*, dated at *Pittsburg*, the 31st ult. sent down by three *Mohawk Indians*, Messengers from Sir *William Johnson*, with the News of his Success at *Niagara*, and recommended to the House, that the said *Indians* be kindly treated while in Town, and distinguished with a small Present on going away. And lastly, a Letter to his Honour, from Major *Orndt*, Commanding Officer at Fort *Augusta*, dated the 20th Instant, containing an Account that some *Delaware Indians*, who were hunting near *Tulpehocken*, had stolen six Horses from thence, and being followed by the Owners of the Horses to the said Fort, the *Indians* confessed the Theft, and promised to return them, but, notwithstanding, carried all the Horses privately off with them.

Ordered, That the said four Bills, returned by the Secretary, be immediately engrossed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 29, 1759.

The Bills returned last Night, by the Governor, being engrossed, were compared at the Table.

Ordered, That Mr. *Pearne* and Mr. *Roberdeau* wait on the Governor, and acquaint him, that the said Bills being engrossed, the House have directed them to join with such Members of Council, as his Honour may appoint, to compare the same with their Originals.

The Gentlemen return, and report, they had waited on the Governor, and delivered their Message according to Order; to which his Honour was pleased to say, that the Secretary should attend the House immediately for that Purpose.

Ordered, That Mr. *Roberdeau* and Mr. *Pearne* do see the Great Seal affixed to the said Bills, after they are passed into Laws, and the same deposited in the Rolls Office.

The Members appointed to meet the Secretary, to collate the said engrossed Bills, reported, they had done the same, and found them to agree with their Originals.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the Council Chamber, in order to enact the several Bills, which have been agreed upon, into Laws."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that they had waited on his Honour with four Bills, respectively entituled as follow, viz. "*A Supplement to the Act, entituled, An Act for re-emitting the Bills of Credit of this Province heretofore re-emitted on Loan, and for striking the further Sum of Thirty-Six Thousand Six Hundred and Fifty Pounds, to enable the Trustees to lend Fifty Thousand Pounds to Colonel John Hunter, Agent for the Contractors with the Right Honourable the Lords Commissioners of his Majesty's Treasury, for his Majesty's Service.*" "*An Act for appointing an Agent to apply for, and receive, the distributive Share and Proportion, which shall be assigned to this Province, of the Sum of Money granted by Parliament to his Majesty's Colonies in America.*" A Supplement to the Act, entituled, *An Act for establishing Courts of Judicature in this Province.*" And, "*An Act to continue an Act, entituled, An Act for directing the Choice of Inspectors in the Counties of*

Chester, Lancaster, York, Cumberland, Berks and Northampton." To which several Bills the Governor had been pleased to give his Assent, by enacting the same into Laws.

The House then taking into Consideration General *Stanwix's* Letter of the 31st ult. recommended to them by his Honour,

Resolved, That it be referred to the Provincial Commissioners to make a small Present to *Teedyuscung*, and the three *Mohawk* Messengers from Sir *William Johnson*, of such Goods as they shall judge most suitable for them.

Resolved, That the Accounts laid before this House by the Commissioners for *Indian Trade*, containing the present State thereof, be recommended to the Inspection and Consideration of the next succeeding Assembly.

The Report of the Committee of Accounts being then read, and considered, was allowed by the House, and is as follows, *viz.*

WE, the COMMITTEE appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, to sink and destroy all the Bills of Credit received in Exchange, pursuant to the late Paper Money Acts, and to count all the Money, and report what Sum we should actually find in the Trustees Hands, REPORT,

THAT on the Twenty-third Day of September we counted all the Money in the Hands of the Trustees of the General Loan-Office, and found the Sum of _____

£13,389 5 10

That upon a strict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums or Quotas yet unpaid, and Quotas to become due on all the Mortgage Deeds remaining in the said Office, amounting to _____

£44,718 10 0

And sundry Quotas sunk, as per Report last year, _____

1,650 0 0

And in Part of £50.000 lent Colonel John Hunter, Agent for the Contractors, _____

13,350 0 0

And the Balance of the Interest Account, _____

8,214 2 3

Balance, _____

67,932 12 3

12,067 7 9

£80,000 0 0

THAT the Trustees, an Account of Interest arising from all the Mortgages lent out in Pursuance of the several Acts of Assembly, are charged with the Interest outstanding last Year, _____

£ 8,752 14 3

To the Interest arising on all the Mortgage Deeds the current Year, _____

£1,614 10 3

To the broken Interest
received since last
Settlement, ————

1,743 6 7

To the Interest at Dis-
charge, ————

32 9 6

3,390 6 4

Balance, ————

£12,143 0 7

8,214 2 3

£20,357 2 10

That the Trustees have Credit for
Money advanced by them out of the
Quotas, to pay sundry Draughts of
Assembly, ————

£ 9,579 12 8

By Interest outstanding on all the
Mortgage Deeds ————

7,560 2 1

By Cash paid Sundries, viz.

1758

Oct.

3. Paid Samuel Kirke, Serjeant at
Arms, per Order, ————

£ 8 0 0

Paid David Edwards, Door-keeper,
per Ditto, ————

35 16 6

21. Paid Joseph Marshall, for putting
a Window in the Rolls Office, —

1 0 0

Dec.

4. Paid Charles Moore, Clerk to the
House, per Order, ————

165 6 6

9. Paid Content Nicholson, for a Hat
for Philip Unity, had Jan. 7,
1757, ————

0 5 0

Paid Rebecca Burchall, for
schooling H. Montour's Children,

3 16 0

1759

April

18. Paid William Smith, for Shoes for
Ditto, ————

1 6 3

23. Paid the Hon. William Denny, Esq;
for his Support the current Year, —

1,000 0 0

May

17. Paid Rebecca Burchall, for School-
ing H. Montour's Children, ————

1 15 0

June

15. Paid the Honourable William
Denny, Esq; for his Support for
the last preceding Year, ————

1,000 0 0

Paid Interest on sundry Provincial
Notes, ————

110 10 0

By the Trustees Salary, ————

500 0 0

By Cash paid for sundry Provincial Notes, viz.

		Principal			Interest
No.	£		£		
1.	200	0 0	38	7 1	
2.	80	0 0	4	4 9	
3.	60	0 0	7	1 0	
		340 0 0			49 12 10

389 12 10

Which Notes amounting to Three
Hundred and Forty Pounds we the
Committee have burnt, ————

£20,357 2 10

WE do further report, That the Provin-
cial Treasurer has paid into the Hands
of the Trustees of the General Loan-
Office, as per Charles Norris's Re-
ceipts, viz.

Of the Twelvepenny Tax, ————

£ 329 13 0

Of the first Eighteenpenny Tax, —

6,466 4 10

Of the second Eighteenpenny Tax,

20,649 8 11

£27,445 6 11

Deduct the Allowance by Law for paying out £100,000, granted the 31st of Geo. II. as 8s. per £100, ———	150 0 0	
	27,295 6 4	
Deduct the Allowance by Law, for sinking, at 5s. per £100 ———	68 4 9	
Which Sum of £27,227 1 7 we the Committee have burnt, ———		£27,227 1 7

WE also report, that we have examined the Provincial Treasurer's Accounts, and find, That he Credits the Province, on Account of the new Excise,

By Cash received of John Jones, Collector for Northampton, ———	£ 128 0 6	
Ditto of Joseph Hamton, Collector for Bucks, ———	225 0 0	
Ditto of Thomas Minshall, Collector for York, ———	37 0 0	
Ditto of James Webb, Collector for Lancaster, ———	282 11 0	
Ditto of John Hughes, Collector for Berks. ———	281 0 0	
Ditto of Joseph Stretch, Collector for Philadelphia, ———	2,298 8 3	
Ditto of Charles Humphreys, Collector for Chester, ———	442 7 0	
Ditto of Nathaniel Wilson, for Cumberland, which County has paid no Excise since August, 1757, as no Person in the County will accept the Office, ———	5 0 0	£ 3,699 6 9
That he Charges the Province with Cash paid Commissioners Order to Hannah Boyd, for billeting Soldiers, ———	5 5 4	
To Bills of Credit paid the Committee, as per Receipts, and by them burnt, ———	3,517 17 10	
To his Commissions, at Five per Cent, ———	176 3 7	£ 3,699 6 9
THAT he Credits the Province, on Account of the old Excise,		
By Cash received of Arthur Patterson, ———	£ 100 0 0	
By Ditto of Joseph Fox, on Account of the Province Island, ———	98 2 0	£ 198 2 0
That he Charges the Province, to Bills of Credit burnt by the Committee, as per Receipt, to balance this Excise Act, ———	£ 126 12 2	
To Commissions, at Five per Cent, ———	6 6 6	
Balance due to the Province ———	65 3 4	£ 198 2 0
THAT he Credits the Province, on Account of the Twelvepenny Tax,		
By Cash received of Nicholas Scull, Junior, Treasurer for Northampton County, in full, as per Account, ———	£ 130 9 6	
By Ditto of Jonas Seely, Treasurer for Berks County, ———	200 0 0	£ 330 9 6
That he Charges the Province, to Cash paid the Trustees, as per C. Norris's Receipts, ———	£ 329 13 0	
To his Commissions, at Five Shillings per Cent, ———	0 16 8	£ 330 9 6
THAT he Credits the Province, on Account of the first Eighteenpenny Tax,		
By Cash received of Thomas Leech, ———		

Treasurer of Philadelphia County, in full, as per Account, ———	£ 3,671 18 3	
By Ditto, of William Delap, Treasurer of York County, in full as per Account settled, except £47 3 0 outstanding, for uncultivated Lands, belonging to Non-Residents, ———	497 8 0	
By Ditto of John Byers, Treasurer for Cumberland; which, with £130, settled for last Year, is all received on this Tax for that County, and said to be in full, but no Account delivered, ———	28 6 6	
By Ditto of Robert Miller, Treasurer for Chester County; which, with £2,895, paid and settled for last Year, is in full, as per Account, ———	909 17 7	
By Ditto of John Wagle, Treasurer for Northampton, in full, with £713 11 8½, accounted for in last Settlement, ———	22 6 2½	
By Ditto of Jonas Seely, Treasurer for Berks, ———	950 0 0	
By Ditto of Thomas Janney, Treasurer for Bucks, ———	408 5 4	
		£ 6,487 16 10½
That he Charges the Province, to Cash paid the Trustees, as per C. Norris's Receipts, ———	£ 6,466 4 10½	
To his Commissions on two Thirds, at Five Shillings per Cent, ———	10 16 0	
To Ditto on one Third, at Ten Shillings per Cent, ———	10 16 0	
		£ 6,487 16 10½
THAT he Credits the Province, on Account of the second Eighteenpenny Tax, By Cash received of Thomas Janney, Treasurer for Bucks, ———	£ 2,420 15 3	
By Ditto of Robert Miller, Treasurer for Chester, ———	3,457 2 9	
By Ditto of Robert Miller, Treasurer for Cumberland, ———	223 18 0	
By Ditto of Jonas Seely, Treasurer for Berks, ———	652 14 6	
By Ditto of John Wagle, Treasurer for Northampton, ———	662 0 0	
By Ditto of Bernard Hubley, for Lancaster, in full, ———	3,688 14 10	
By Ditto of William Delap, for York, ———	902 17 0	
By Ditto of Philip Syng, for Philadelphia, ———	10,401 13 10½	
		£22,409 16 2½
That he Charges the Province to Cash paid Hugh Roberts, as Treasurer of the Pennsylvania Hospital, for signing One Hundred Thousand Pounds, granted April 1758, ———	£ 470 11 6	
To Ditto paid John Baynton, his Salary as a Provincial Commissioner, ———	100 0 0	
To Ditto paid Joseph Fox and Joseph Galloway, their Salaries as Ditto, ———	200 0 0	
To Ditto paid Franklin and Hall, for Paper and Printing One Hundred Thousand Pounds, granted April 1758, ———	380 2 10½	
To Ditto paid Lynford Lardner and John Hughes, their Salaries, ———	200 0 0	
To Ditto paid Hugh Roberts, Treasurer of the Pennsylvania Hospital, for signing One Hundred Thousand Pounds, granted 1759, ———	135 0 0	
To Ditto paid John Mifflin's Salary, to Joseph Saunders, his Executor, ———	100 0 0	
To Ditto paid William Masters his Salary	100 0 0	
To Ditto paid the Trustees, as per Charles Norris's Receipts, ———	20,649 8 6	
To his Commissions on two Thirds, at Five Shillings per Cent, ———	37 6 8	

To Ditto on One Third at Ten Shillings per Cent, _____	37 6 8	£22,409 16 2½
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THAT we have examined the Accounts of		
Joseph Stretch, Collector of the County of Philadelphia, and find, That he Credits the Province by Amount of Excise from July, 1758, to July, 1759,		
By sundry Retailers per Annum, _____	£ 1,858 4 0	
By one Moiety of Seizures, _____	179 10 0	
By outstanding Debts, _____	21 0 6	
	891 3 1	
		£ 2,949 17 7
That he Charges the Province to Cash paid the Treasurer, _____		
	£ 2,298 8 3	
The Commissions, at Five per Cent, —	114 18 4	
To Balance outstanding, _____	536 11 0	
		£ 2,949 17 7

THAT we have examined the Accounts of		
Charles Humphreys, Collector of the County of Chester, and find, That he Credits the Province by Balance due on Last Year's Settlement, _____		
By Amount of Excise from July 1, 1758, to July 1, 1759, _____	£ 108 2 0	
	449 14 8	
		£ 557 16 8

That he Charges the Province to Cash paid the Treasurer, _____		
	£ 442 7 0	
To Commissions, at Ten per Cent, —	44 4 8	
To an Allowance on Conrad Young's Account, _____	■ 0 8	
To Balance due to the Province, _____	68 4 4	
		£ 557 16 8

THAT we have examined the Accounts of		
Joseph Hampton, Collector for the County of Bucks, and find, That he Credits the Province by Amount of Excise, _____		
By seventeen Retailers, _____	£ 192 7 8	
By Outstanding last Year, _____	51 0 0	
	28 14 11	
		£ 272 2 7

That he Charges the Province to Cash paid the Treasurer, _____		
	£ 225 0 0	
To Commissions, at Ten per Cent, —	22 10 0	
To Balance due to the Province, _____	24 12 7	
		£ 272 2 7

THAT we have examined the Accounts of		
John Jones, Collector for the County of Northampton, and find, That he Credits the Province by Amount of Excise, _____		
By sundry Retailers, _____	£ 57 8 0	
By Outstanding last Year, _____	56 7 6	
	63 2 0	
		£ 176 17 6

That he Charges the Province to Cash paid the Treasurer; _____		
	128 0 6	
To Commissions, at Ten per Cent, —	12 16 0	
To Balance outstanding, _____	36 1 0	
		£ 176 17 6

THAT we have examined the Accounts of		
John Hughes, Collector for the County of Berks, and find, That he Credits the Province by Amount of Excise, —		
By sundry Retailers, &c., _____	£ 177 11 0	
By Outstanding last Year, _____	65 15 0	
	181 9 7	
		£ 424 15 7

That he Charges the Province to Cash paid the Treasurer, _____		
	£ 281 0 0	
To Commissions, at Ten per Cent, —	28 2 0	
To Balance due to the Province, _____	115 13 7	
		£ 424 15 7

THAT Thomas Minshall, Collector for the County of York, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of — — — £ 37 0 0

THAT James Webb, Collector for the County of Lancaster, has not exhibited any Account to us, but we find he has paid the Provincial Treasurer the Sum of — — — £ 282 11 0

THAT Nathaniel Wilson, formerly Collector for the County of Cumberland, has paid the Provincial Treasurer the Sum of — — — £ 5 0 0
Which County has paid no Excise since August 1757, as no Person in the County will accept the Office.

AND lastly, we report, That it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the General Loan-Office, in Exchange Money, the Sum of — — — — — £ 4,655 4 9
Which Sum still remains in their Hands.

We submit these Accounts, with the others, to the Observation and Correction of the House.

Philadelphia, September 28, 1759.

JOSEPH FOX,	JOHN HUGHES,
RICHARD PEARNE,	JOHN BAYNTON,
JOHN MORTON,	JOSEPH KIRKBRIDE."

September 30, 1759.

The COMMISSIONERS appointed by Act of Assembly for disposing of the One Hundred Thousand Pounds for the King's Use, &c. for Cash paid Sundries, as by their Orders drawn on the Trustees of the General Loan-Office.

May 4, 1758.

Dr.

HUGH CRAWFORD, by the Hands of W. Trent, for conducting Messengers to Teedyuscung — — — — — £ 10 14 3

May 13,

James Young, towards paying off the Arrears of the Provincial Forces,	10,000 0 0
John Hughes and others, for Indians at Wyoming, — — — — —	1,000 0 0

May 16, 1758.

James Young, per John Clark, raising a Company, — — — — —	250	0	0
Ditto, per Lodowick Stone, for Ditto, — —	250	0	0
Ditto, per George Aston, for Ditto, — — —	150	0	0

May 18,

John Allen, for purchasing Horses, — — —	500	0	0
James Young, per the Hands of John Singleton, for Recruiting, — — — — —	250	0	0

May 19

Ditto, per the Hands of Paul Jackson, for Ditto, — — — — —	200	0	0
Buchanan and West, Balance of their Account,	1,758	14	3

May 20,

James Young, per the Hands of Adam Hoops, for paying off Arrears of the Provincial Forces, — — — — —	10,000	0	0
Ditto, per Ditto, for Recruiting Service, —	1,000	0	0

May 22,

Ditto, per Robert Eastburn, for compleating his Company, — — — — —	200	0	0
Ditto, per Samuel Nelson, for Ditto, — — —	200	0	0
Ditto, per John Blackwood, Balance of Account, — — — — —	136	17	0

May 23,

Peter Bard, the Balance of his Account, —	75	17	0
Buchanan and West, in full of their Account, for supplying Forts, — — — — —	1,751	11	2
James Young, per Buchanan and West, Arrears of Forces, — — — — —	10,000	0	0
Ditto, per John Bull, for Recruiting Service,	138	9	0

May 24,

John M'Knight, per Benjamin Kendall, former Commissioners Certificate, — — — —	23	0	0
James Young, per John Blackwood, Sundries,	94	8	4
Ditto, per John Haselet, for Recruiting, —	439	0	0
Ditto, per Ditto, for John Singleton, Ditto, —	139	0	0

May 25,

John Hughes, for Samuel Depui's Order on the Commissioners, — — — — —	556	14	6½
---	-----	----	----

May 26,

James Young, per the Hands of Robert Boyd, Recruiting, — — — — —	200	0	0
--	-----	---	---

William Thompson, per the Hands of George Armstrong, for a Gun for a Cherokee Indian, — — — — —	6	0	0
James Young, per Josiah Davenport, Advance Pay, — — — — —	27	0	0
Ditto, per Robert Eastburn, Balance of Account, — — — — —	178	12	0
Isabel Allison, per John Andrew, for a Bay Horse, — — — — —	3	10	0
Joseph Phipps, for French Neutrals at Abington, — — — — —	19	2	2½
John Kerbach, for Ditto at Whitmarsh, —	11	4	11
James Young, per John Haselet, for Recruiting Service, — — — — —	39	4	0
Ditto, per Ditto, advanced to his Lieutenant and Ensign, — — — — —	45	0	0
William Fisher, for Blanketing supplied the late Commissioners, — — — — —	353	10	0
<i>May 27, 1758.</i>			
Stewards of Bethlehem, per the Hands of William Edmonds, in full of their Accounts to the late Commissioners, — — — — —	253	19	10
James Young, per George Aston, for Recruiting Service, — — — — —	200	0	0
<i>May 29,</i>			
Edward Croston, Balance of Account for Provisions supplied Provincial Forces, —	5,082	8	5
<i>May 30,</i>			
Thomas Wharton, for Gunpowder, — — —	73	5	0
James Young, per Paul Jackson, for Recruiting Service, — — — — —	250	0	0
Adam Miller, for French Neutrals at Cheltenham, — — — — —	15	16	0
James Young, per Richard Walker, for Recruiting Service, — — — — —	489	0	0
Ditto, per Adam Read, — — — — —	400	0	0
Barnaby Hughes, for Provisions for Forces, —	1,580	15	0
<i>May 31,</i>			
James Young, per Samuel Nelson, for Recruiting Service, — — — — —	200	0	0
David Sickles, for conveying Part of the Light Horse to Carlisle, — — — — —	35	0	0
James Young, per Andrew Wilkins, three Months Advance, — — — — —	18	0	0
Ditto, per Cromwell Pierce, for Ditto, — —	27	0	0

Ditto, per George Aston, two Months Pay, —	30	0	0
John Hayes, for entertaining Indians, to and from Fort Allen, — — — — —	16	5	2

June 1, 1758.

Yorke and Potts, for Blankets for the Bar- racks, — — — — —	25	4	0
James Young, per George Aston, for Recruit- ing Service, — — — — —	134	17	0
Ditto, per William Biles, for Ditto, — — —	300	0	0

June 2,

Ralph Starret, per Arthur Galbreath, for a Horse, — — — — —	4	0	0
Rhoads and Powell, for French Neutrals in Marple, — — — — —	7	18	2
Arthur Galbreath, on Account of Horses, —	8	4	0
Michael Keiser, per Lodowick Byerley, for Waggonage to Fort Augusta, — — — —	17	7	0
James Young, per George Price, three Months Advance, — — — — —	18	0	0
Ditto, per John White, for Ditto, — — — —	27	0	0
Ditto, per John Montgomery, for Recruiting, Samuel Laney, per Samuel Martin, for a Horse, — — — — —	250	0	0
Jacob Hiltzheimer, for going Express to Win- chester, &c. — — — — —	5	10	0
Jonathan Bavington, for French Neutrals at Oxford, — — — — —	14	0	0
Jonathan Bavington, for French Neutrals at Oxford, — — — — —	25	11	7
Richard Hockley, per Account, for affixing the Seal, 1756, — — — — —	9	15	0
Ditto, for Ditto, 1757, — — — — —	18	15	0
James Young, per Robert Eastburn, two Months Pay, — — — — —	30	0	0

June 3,

Joseph Morris, for Indian Blanketing, — —	18	0	0
James Young, per John Haselet, for Sundries,	47	17	0
Ditto, per John Singleton, three Months Pay to Lieutenant and Ensign, — — — — —	45	0	0
Ditto, per Ditto, for Sundries, — — — — —	94	11	4

June 5,

William Allen, Esq; Chief Justice, his Salary, 1756, — — — — —	200	0	0
Ditto, for Ditto, 1757, — — — — —	200	0	0
Stephen Carmick, for Indian Blankets for Colonel Armstrong, — — — — —	6	13	4
Ditto, for Duffils, — — — — —	100	0	0

James Young, per Eleazar Davenport, three Months Advance, — — — — —	18	0	0
Ditto, per Paul Jackson, for Sundries, — —	65	3	0

June 6, 1758.

James Allison, for his and George Garret's Accounts for French Neutrals in Chester County, — — — — —	6	15	5
Robert Levers, for writing for the Commissioners, — — — — —	10	0	0
Cornelius Conrad, for French Neutrals at Germantown, — — — — —	10	5	3
Joseph Watkins, junior, in full of his Account for Rammers, &c. — — — — —	11	14	9
John Zell and John Thomas, for French Neutrals in Blockley, — — — — —	14	3	7
Thomas Apty, Expresses, per Order of the Governor, — — — — —	20	10	0
Thomas Starr, for French Neutrals in the Borough of Chester, — — — — —	22	3	6
James Young, per Robert Eastburn, for subsisting his Company, — — — — —	26	10	0
James Ennis, Expresses, per Order of the Governor, — — — — —	32	10	0
William Fisher, for Blanketing for Colonel Armstrong, — — — — —	37	7	0

June 7,

Bartram Galbreath, Commissary of Fort Hunter, — — — — —	141	12	6
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June 9,

William Harper, for Sundries for Haselet's and Singleton's Companies, — — — — —	4	4	0
Conrad Weiser, Disbursements of sundry Expresses, — — — — —	7	19	0
Richard Pearne, for Services on the Committee, — — — — —	10	4	0
Everard Martin, per Peter Miller, Disbursements for Indians, — — — — —	15	7	0
Jacob Levan, Disbursements for Indians, —	17	5	0
Job Dicks, and John Caldwell, for French Neutrals in Springfield, — — — — —	20	14	9
Jeremiah Corin, for Saddles, Bridles, &c. for new raised Regiment, — — — — —	68	10	0
Jonas Seely, for Provisions for Capt. Morgan's Company, — — — — —	490	12	6

Peter and Frederick Weiser, for Provisions for Provincial Forces, — — — — —	919 16 3
Levan and Deshler, for Provisions delivered sundry Companies, — — — — —	1,354 4 4
<i>June 10, 1758.</i>	
Charles Stow, as Door-keeper to the Council,	11 0 0
Joseph Fox, Esq; for his Service on the Com- mittee, — — — — —	10 4 0
John Hart, for Disbursements for Indians, &c. — — — — —	12 9 6
Charles Stow, junior, for Sundries for Light Horse, — — — — —	85 12 6
<i>June 12,</i>	
John Young, for Ditto, — — — — —	85 12 6
Jacob Stadler, for Ditto, — — — — —	68 10 0
Samuel Mifflin, for Disbursements for the Fort at Wicacoa, — — — — —	6 8 6
<i>June 13,</i>	
Caleb Cowpland, his Salary, 1756, paid John Lownes, — — — — —	60 0 0
Ditto, for 1757, per Ditto, — — — — —	60 0 0
Daniel Potts, Express to Bucks and Lan- caster Counties, — — — — —	1 10 0
Charles Brockden, Certificate 1756, — — —	11 13 11
Ditto, 1757, — — — — —	27 17 0
Joseph Jacobs, for Sundries for new raised Regiment, — — — — —	34 5 0
Owen Roberts, for Shoeing and Branding Provincial Horses, — — — — —	30 16 10
Joseph Marriot, for French Neutrals in the City of Philadelphia, — — — — —	336 3 14
Richard Peters, Esq; Certificate, 1756, as Clerk, — — — — —	15 0 0
Ditto, 1757, Ditto, — — — — —	15 0 0
Ditto, for Services, — — — — —	48 4 6
Joseph Galloway, Esq; for Services, — — —	20 0 0
Richard Peters, Esq; Commissioners former Order, — — — — —	4 8 9
Jeremiah Warder, for Sundries as a Present to the Cherokees, — — — — —	5 0 6
Ditto, for Goods for the Use of the Province,	64 17 6
Paul Pierce, per Jeremiah Warder, for eleven Horses, — — — — —	67 3 0
Plunket Fleeson, his Account for new raised Levies, — — — — —	415 9 5

Martin Brand, for 106 Knapsacks for Provincial Forces, — — — — —	26	10	0
David Sickle, for taking Ninety-one Horses to Carlisle, — — — — —	25	0	6
Benjamin Franklin, Esq; per William Dunlap, Cash paid for a Horse to ride Express, — — — — —	6	7	0
William Dunlap, in full of his Account, this Day settled, — — — — —	9	14	0
John Strickland, for himself and others, for French Neutrals, — — — — —	9	0	2
<i>June 14, 1758.</i>			
John Edwards, for Indian Expences, — — —	127	9	4½
<i>June 15,</i>			
James Coultas, for Subsistence and Clothing French Prisoners, — — — — —	57	19	10
John Allen, for Horses for the Light Troop, — — — — —	133	14	10
<i>June 16,</i>			
Sophia Foy, for French Neutrals, — — — —	7	15	1
<i>June 17,</i>			
David Deshler, for Lamp-Oil for the Fort at Wicacoa, — — — — —	2	12	2
Michael Hillegas, for Cartridge Paper for Fort Augusta, — — — — —	25	1	2
Isaac Norris, Esq; for immediate Service, — — — — —	40	0	0
John Morton Esq; for his Service on the Committee, — — — — —	10	4	0
Jacob Titus, for French Neutrals at Bensalem, — — — — —	6	19	1
<i>June 20,</i>			
Samuel Swift, Ditto in Moreland, — — — —	4	10	6½
Martin Brand, for 159 Knapsacks, — — — —	39	15	0
James Whitehead, Certificate, — — — — —	29	1	6
Stewards of Bethlehem, per William Edmond's Account, — — — — —	134	6	8
Charles Thompson, for Indian Expences, — — — — —	37	13	3
Stophel Man, for Grain taken by the Provincial Soldiers, &c. — — — — —	14	19	0
David Gibson, for French Neutrals at Kingsess, — — — — —	15	9	4
Joseph Fox, Esq; his Account, — — — — —	251	9	3½
John Hughes, Esq; Certificate, 1756, — — — —	8	8	0
Ditto, Ditto, 1757, — — — — —	10	4	0
Joseph Armstrong his Account, — — — — —	93	15	5
Joseph Gavin, for Fifty Pair of Spatterdashes for Light Troop, — — — — —	37	10	0
John Baldwin, Ditto, — — — — —	37	10	0

Conrad Becker, for French Neutrals in the Northern Liberties, — — — — —	24	13	4
Samuel Endsworth, for Horses in the Province Service, — — — — —	22	2	0
William Branson, for Shot for Fort Augusta, June 21, 1758.	28	0	0
James and Drinker, for Sundries, per Account, &c. — — — — —	99	4	5
June 22,			
Colonel John Armstrong, for Disbursements,	38	16	11
John Smith, for Sundries supplied Colonel Armstrong, — — — — —	37	15	0
Peter Robeson, Account of Pasturage, &c. Light Troop, — — — — —	21	16	6
June 23,			
John Roberts, for French Neutrals, in Lower Merion, — — — — —	2	10	0
David Evans, for Ditto, in Ditto, — — — — —	2	16	4
William Lanvil, and John Moore, for Ditto, in Darby, — — — — —	19	7	2
June 24,			
John Hart, Expences of Indians to New-York,	20	0	0
June 26,			
William Chancellor, for Medicines, — — —	10	9	6
June 27,			
William White, for French Neutrals in Bristol, — — — — —	6	8	8
William Nicholson, for Entertainment of Indians, — — — — —	20	18	8
Martin Brand, for 106 Knapsacks, — — — —	26	10	0
June 28,			
Philip Benezet, for eight Pieces of Duffils,	72	0	0
June 29,			
Matthias Bush, for Hangers and Belts for Light Horse, — — — — —	14	3	6
James Young, for Recruiting Service, — —	5,000	00	0
Ditto, for Payment of Provincial Forces, —	16,000	0	0
June 30,			
Lawrence Growdon, Esq; Certificate, 1756, —	60	0	0
Ditto, for Ditto, 1757, — — — — —	60	0	0
John Johnston, for subsisting General Shirley's Grenadiers through New-Jersey, — —	43	3	3
Hannah Boyd, her Account now settled, —	47	11	2
Samuel Brown, for Indians at Pennsbury, —	16	13	2
Thomas Janvier, his Account now settled, —	311	6	9

July 1, 1758.

Robert Erwin, for Nursing, Indian Bill, — —	1	10	0
Ditto, for Cloathing and Boarding. Ditto, —	15	5	0

July 4,

Herman Vansandt, for French Neutrals at Bensalem, — — — — —	2	14	7½
William Large, for French Neutrals in the Borough of Bristol, — — — — —	8	9	10½
Joseph Fox, Esq; Sundries on Account of Waggonage to Carlisle, — — — — —	16	10	0
Nathaniel Grubb, for Ditto, — — — — —	36	0	0
Joseph Fox, Esq; for Sundries, — — — — —	703	8	4

July 6,

Richard Peters, Esq; for Recovery of a Horse Teedyuscung gave to John Pumshire —	17	10	0
Overseers of the Poor, for French Neutrals in Philadelphia, — — — — —	184	5	7½

July 7,

Christian Hiadle, per George Honey, for Waggonage to Carlisle, — — — — —	6	0	0
William Clinton, for shoeing Provincial Horses, — — — — —	7	8	0
Daniel Roberdeau, his Certificate, — — — —	10	4	0
Thomas Jervas, for riding Express, — — —	15	0	0
Frederick Post, for Indian Expences, — —	24	17	6
Martin Brand, for 106 Knapsacks, — — — —	26	10	0
Benjamin Marshall, for Canteens and Camp-kettles, — — — — —	63	7	0

July 8,

Robert Owen, for Services, — — — — —	40	4	6
--------------------------------------	----	---	---

July 11,

Frederick Post, for Indian Affairs, — — —	6	6	3
David Edwards, for Services, — — — — —	15	0	0

July 12,

John Biddle, for Pasturing Province Horses,	54	3	9
---	----	---	---

July 13,

Daniel Rundle, for Blankets, — — — — —	29	3	6
--	----	---	---

July 14,

Owen Roberts, for Shoeing and Branding Province Horses, — — — — —	2	9	8
Christian Boyer, for Candles for Fort Henry,	6	12	0
Martin Brand, per Joseph Fox, for 106 Knapsacks, — — — — —	26	10	0
Benjamin Harbeson, for Canteens and Camp-kettles, — — — — —	110	3	6

Thomas Janvier, for Sundries, — — — — —	146	4	10
Joseph Fox, his Account of Disbursements, —	648	13	10

July 15, 1758.

Thomas Clifford, a Present to the Cherokees,	6	11	0
Franklin and Hall, Certificate for Printing, &c. — — — — —	106	2	6

July 17,

Joseph Stretch, Certificate for Services, — —	8	8	0
---	---	---	---

July 18,

Thomas Apty, per Joseph Fox, Esq; going with Express Horses, — — — — —	8	19	7
Joseph Fox, Esq; for a Horse, Saddle and Bridle, for Allegheny Chief, — — — — —	10	10	0
John Meetch, for riding Express, &c. — — —	16	4	0

July 19,

Edward Croston, for Sundries supplied the Garrison of Fort Augusta, &c. — — — —	426	18	2
--	-----	----	---

July 20,

Mary Middleton, for Sundries for the Use of the King's Hospital, — — — — —	2	17	9
---	---	----	---

July 21,

Daniel Williams, for Muskets delivered Fred- erick Smith for Province Service, — — —	7	5	0
York and Potts, for four Pieces of Blanketing,	40	0	0
William West, for an Error in George Gib- son's Account, — — — — —	7	17	6
Samuel Caruthers, for Sundries for Fort Augusta, — — — — —	9	2	10
William Nicholson, for keeping Horses, — —	12	16	7

July 22,

Baynton and Bard, for Sundries for Fort Augusta, — — — — —	13	19	0
---	----	----	---

July 25,

Daniel Mackenet, for entertaining sundry Indians, — — — — —	6	4	4
Haines and Matlack, for French Neutrals of Goshen, — — — — —	14	16	0
John Hart, for conducting Cherokee Indians to New-York, — — — — —	17	0	0
David Edwards, for Indian Expences, — —	100	15	2½

July 28,

Charles Stow, for summoning Councils, — —	9	10	0
---	---	----	---

July 29, 1758.

Ralph Whitesight, Ferriage of Captains Morgan and Mercer's Companies over Sasquehannah, in April and November, — — —	2	12	9
George Reynolds, Disbursements for Forts Allen and Morris, — — — — — — — — —	18	13	9

Aug. 4,

Joseph Starr, for the Use of a Gun furnished Capt. Smith's Company, — — — — —	0	18	0
Wolfgang Hawka, for Smith's Work, — — —	57	15	8

Aug. 8,

William Pritchett, Attorney to Abraham Kinsey, for four Horses lost, and Balance of Account, — — — — — — — — — —	89	2	6
--	----	---	---

Aug. 9,

Carpenter and Moore, for Sundries for Fort Augusta, — — — — — — — — — —	17	9	9
---	----	---	---

Aug. 10,

Henry Steel, for Medicines for the first Battalion of the Pennsylvania Regiment, — —	51	7	7
--	----	---	---

Aug. 11,

Joseph Hampton, his Certificate, — — — —	10	4	0
Thomas Spakeman, for French Neutrals of Goshen Township, — — — — — — — —	2	1	1½
Thomas White, and Amos Yarnall, for French Neutrals at Willistown, — — — — — — —	2	14	10½

Aug. 12,

Charles Osborne, his Account of Medicines furnished sundry Surgeons, — — — — —	183	17	11
--	-----	----	----

Aug. 15,

John Forst, for burying a French Neutral, —	1	2	6
Abraham Mitchell, for Wampum supplied the Secretary, and a laced Hat for Teddyuscung,	66	12	6

Aug. 16

Joseph Fox, Esq; Disbursements for Carriage of Sundries to Fort Hunter, — — — — —	25	10	0
---	----	----	---

Aug. 22,

James Roan, for Attendance during Conference with Indians, — — — — — — —	1	1	0
John Guy, for House-rent for a Family of Neutrals, seven Months, — — — — — —	3	10	0
Issachar Davids, his Account, and his Brother, B. David's Account, for entertaining Indians, — — — — — — — — — —	6	0	9½

Peter Dicks, for Provisions for French Neutrals in Lower Providence, — — — — —	16	13	4½
<i>Aug. 28, 1758.</i>			
Richard Peters, Disbursements for Belts for the Use of the Government, — — — — —	7	11	0
<i>Aug. 30,</i>			
Joseph Beaks, for Horse-hire for John Pumpshire, — — — — —	8	0	0
<i>Aug. 31,</i>			
John Hart, for a Horse for an Indian Chief, and to defray the Expences of 21 Indians to Winchester, — — — — —	40	0	0
<i>Sept. 8,</i>			
Nathaniel Vernon, per Jonathan Pettit, towards supporting Indians at Easton, — —	200	0	0
<i>Sept. 12,</i>			
William Edmonds, for dieting Indians, &c. at Bethlehem, and Expences on the Road, disbursed for them, — — — — —	10	17	0½
Daniel Mackenet, for dieting two French Prisoners, — — — — —	17	3	8
<i>Sept. 15,</i>			
Isaac Wickersham, for supplying three Companies of Royal Americans with Wood, Straw, &c. stationed in Berks County, —	71	9	4
Christopher Marshall, one of the Overseers of the Poor, for Sundries supplied French Neutrals, — — — — —	79	19	4
Joseph Gilpin, per Joseph Shallcross, for Provisions supplied Neutrals, — — — — —	1	8	4
John Ellick, for making Indian Cloathing, —	40	3	3
John Hart, for victualling and attending Cherokees at Winchester, — — — — —	2	0	0
<i>Sept. 19,</i>			
John Holliday, for his and his two Sons Accounts of Sundries Building Fort Loudoun	41	19	5
Michael Syfer, for a Gun supplied Capt. Smith's Company, — — — — —	1	0	0
<i>Sept. 22,</i>			
William Griffiths, for a Piece of Blanketing delivered Israel Pemberton, for the Use of some Indians, in November, 1756. — — —	10	0	0
Israel Pemberton, Account of Indian Expences, and Repairs to the King's Hospital,	23	12	5

Thomas Apty, for sundry Journies Express, by Order of the Governor, — — — — —	24	12	0
<i>Sept. 23, 1758.</i>			
William Plumstead, Esq; for Wood, Straw, and Cartage of the same to the Camp on Society-Hill, for the Use of Colonel Dun- bar's Regiment, and for two Months Rent of N. Grubb's House for the sick Artillery Men, — — — — —	17	10	0
Yorke and Potts, for Goods supplied Joseph Fox, Esq; for the ensuing Treaty, — — —	32	4	4½
Richard Peters, Esq; towards defraying the Governor's Expences to Easton, — — — —	200	0	0
James and Drinker, for Goods supplied Joseph Fox, Esq; for Treaty, — — — — —	124	9	6
<i>Sept. 25,</i>			
Samuel Bell, for Ditto, — — — — —	9	10	0
William West, for Goods supplied William Logan, Esq; for Ditto, — — — — —	123	11	8
John Relfe, for Ditto, — — — — —	74	2	6
<i>Sept. 30,</i>			
John Taylor, and others, per John Morton, Esq; Sundries supplied French Neutrals in Concord, West-Town, and Thornbury, — —	5	5	11
<i>Oct. 5,</i>			
Samuel Mifflin, for Sundries for Wicacoa Fort,	34	11	0
<i>Oct. 6,</i>			
John Carson, for Sandries supplied the Pro- vince for Treaty, — — — — —	27	7	11
William Bowsman, and Peter Brookback, for Waggonage of Sundries to Carlisle, for the Use of the Light Horse, — — — — —	15	0	0
Israel Pemberton, for sundry Goods for the ensuing Treaty, — — — — —	616	11	5
Joseph Galloway, Esq; his Advance to David Edwards, for the Expences of Monaga- tootha's Widow, and other Indians, from hence to New-York, — — — — —	1	10	0
Joseph Fox, Esq; to purchase Wood for the Barracks and Hospital, — — — — —	500	0	0
Ditto, his Account of Disbursements towards Indian Expences, — — — — —	32	17	6
John Milligan, by the hands of John Biddle, for wampum for the Treaty, — — — — —	181	13	9

Charles Moore, to be applied towards defraying the Expences of the Treaty, — — — —	500	0	0
Jonathan Hood, for riding Express to George Aston's, on the Lancaster Road, — — — —	1	5	0
<i>Oct. 7, 1758.</i>			
Samuel Hasell, for Goods for the Treaty at Easton, — — — — — — — — — —	30	18	9
Baynton and Bard, for Ditto, — — — — —	141	15	6½
Thomas Clifford for Ditto, — — — — —	132	5	5
<i>Oct. 11,</i>			
Samuel Burge, for Ditto, — — — — —	9	5	0
<i>Oct. 17,</i>			
Mitchell and Parish, for Hats for Ditto, — —	14	15	0
<i>Oct. 30,</i>			
Nathaniel Pennock, for French Neutrals in sundry Townships, — — — — — — — —	11	1	1
<i>Nov. 1,</i>			
William West, for James Robe's Account of Smiths Work done for the Province, — —	6	16	10
Levan and Deshler, for Provisions for French Neutrals, — — — — — — — — — —	226	16	0
Ditto, for supplying the Inhabitants during the Building a new Fort in Lehi Township,	41	9	1½
Thomas Apty, for riding Express, per Order of the Governor, — — — — — — — —	14	0	0
Richard Peters, Esq; for Wampum for the Use of the Province, — — — — — — — —	82	1	0
<i>Nov. 2,</i>			
Samuel Howell, for Blanketing for Provincial Troops, — — — — — — — — — —	19	7	10
<i>Nov. 3,</i>			
Nicholas Scull, per Timothy Horsfield, Esq; for a Quarter Cask of Powder for Provincial Soldiers, and Sundries for sick Mohawk Indians, — — — — — — — — — —	5	15	10
Timothy Horsfield, Esq; for Repairs done to Indians Guns, and for Waggon to carry their Baggage, — — — — — — — — — —	19	2	4
Thomas Jervas, for riding Express, by Order of the Governor, — — — — — — — — — —	25	0	0
James Ennis, junior, for Ditto, — — — — —	17	0	0
Moses Tetamy, for his Services at the Treaty at Easton, — — — — — — — — — —	5	0	0
Jeremiah Warder, for Sundries supplied John Baynton, Esq; for the Province, — — —	12	14	1½

Nathaniel Vernon, per Henry Alhouse, in Part of his Account for Support of Indians, &c. at the late Treaty at Easton, — — — — —	500	0	0
Nov. 4, 1758.			
Richard Peters, Esq; Balance of the Governor's Account of Expences, at and from the Treaty at Easton, and for Wam- pum, — — — — —	90	16	0
Nov. 6,			
Plunket Fleeson, his Account of Sundries, for the Use of the Province, — — — — —	50	0	0
Nov. 7,			
Francis Richardson, for sundry Goods for Treaty at Easton, — — — — —	21	18	0
Nov. 10,			
Persifor Frazer, for Balance of John Nealy's Account, — — — — —	1	0	0
Nov. 14,			
Hannah Boyd, for Half a Year's Board of H. Montour's Children, — — — — —	20	0	0
Frederick Weiser, for Provisions supplied the Provincial Forces, — — — — —	79	0	0
Nov. 22,			
William Leech, for painting Drums, &c. — —	11	8	0
Mary Middleton, for hauling Wood, &c. for the King's Hospital, — — — — —	3	11	7½
James Webb, Esq; for Provisions supplied the Conestogoe Indians, — — — — —	2	4	3
Ditto, for Rent of a House for an Hospital for Troops quartered at Lancaster, — — —	13	5	8
Ditto, for Sabastian Graff's Account for Rent of a House for a Guard-house for Ditto, —	12	4	2
Nov. 23,			
Isaac Zane, and Adam Acre, for Boards, &c. building Sheds for Indians, — — — — —	5	15	9
Nov. 28,			
John Strickland, for Robert Croasdale's Ac- count for Neutrals, — — — — —	4	13	5
Nov. 29,			
Phineas Bond, for Medicines and Attendance on French Neutrals, — — — — —	50	0	0
Dec. 1,			
Robert Armstrong, for a sorrel Horse in the Province Service, — — — — —	6	10	0

James Young towards defraying Arrears of Provincial Forces, — — — — —	100	0	0
<i>Dec. 2, 1758.</i>			
Timothy Horsfield, Esq; for Expences for Indians, — — — — —	3	0	0
Ditto, for Services, taking Care of Stores, &c.	50	0	0
<i>Dec. 12,</i>			
Isaachar David, for riding Express, — — —	13	10	0
John Hayes, his two Accounts for Entertainment of Indians, — — — — —	60	0	0
<i>Dec. 15,</i>			
Richard Footman and Company, for Copper Kettles for the Treaty at Easton, — — —	85	16	0
<i>Dec. 18,</i>			
Henry Harrison, for four Fusees delivered four Indians, going to the General, — — —	6	17	0
<i>Dec. 26,</i>			
Thomas Robinson, Express to General Forbes,	11	0	0
Thomas Apty, Express to Ditto, at Fort Duquesne, &c. — — — — —	17	10	0
David Edwards, in full of his Account, and his Services to the Board of Commissioners, —	29	0	11
<i>Jan. 4, 1759.</i>			
James Kinsey, for a Year's Rent of the Royal Hospital, — — — — —	38	10	0
<i>Jan. 8</i>			
Joshua Howell, for a Bill of Exchange to repay Colonel Peter Schuyler what he advanced in Canada, for the Ransom and Subsistence of sundry Prisoners belonging to this Province (per Carpenter and Moore)	132	0	6
<i>Jan. 16,</i>			
James Ennis, senior, for going Express to sundry Places with Dispatches to General Forbes, — — — — —	66	0	0
<i>Jan. 19,</i>			
James Ennis, junior, going Express to New-York, with Dispatches from the Governor,	6	0	0
<i>Jan. 23,</i>			
Joseph Redman, for Work done at the Guard-house, — — — — —	1	18	4
Christian Frederick Post, his Account of Indian Expences, — — — — —	16	14	6

William Hayes, for his Expences and Service, in going with a Message from this Govern- ment to the Ohio Indians, — — — — —	95 17 2
Nathaniel Vernon, in Part of his Account of Disbursements for Support of Indians at the late Treaty at Easton, — — — — —	200 0 0
<i>Jan. 24, 1759.</i>	
Thomas Rose, for Support of French Neutrals in Germantown, — — — — —	7 19 6
<i>Jan. 27,</i>	
Joseph Fox, Esq; advanced to Samuel Mont- gomery, for Service in receiving and taking Care of Provincial Arms, — — — — —	3 15 0
Ditto, Account of Disbursements,	4 5 0
John Bull, for Expences and Services, in going with a Message to the Ohio Indians, — —	48 13 4
<i>Jan. 30,</i>	
George Sanderson, by the Hands of John Baynton, Esq; his Account for keeping Post- Horses, and in Discharge of Andrew Bayne's Account for riding Express, — — — — —	68 12 3
<i>Jan. 31,</i>	
Charles Hayes, for Carriage of Gunpowder to Easton, — — — — —	6 0 0
<i>Feb. 12,</i>	
Samuel Purviance, for Pipes delivered John Baynton, Esq; for the Use of the Treaty,	6 15 0
<i>Feb. 15,</i>	
Joseph Morris, in full for Goods delivered cer- tain Indians, on the Credit of Frederick Post, before his first Journey to the Ohio,	6 11 8
<i>Feb. 16,</i>	
John Little, his Account, in bringing down seven Provincial Horses, — — — — —	6 6 0
<i>Feb. 17,</i>	
Benjamin Wallace, for hauling Logs, pastur- ing Horses, and the Hire of a Horse, — —	4 3 6
<i>Feb. 23,</i>	
John Rouse, Executor of Thomas Rouse, Ac- count for Work done to the Gun Carriages belonging to the Pennsylvania Frigate, —	12 8 2
Sundry Printed Orders, amounting to — —	12,200 0 0

£ 100,001 8 8½

Then the several Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being signed by Mr. Speaker, by Order of the House,

The House rose.

September 30, 1759.

INCIDENTAL CHARGES.

TO <i>William Allen</i> , Esq; Chief Judge of the Supreme Court, — — — — —	£	200	0	0
To <i>Laurence Growdon</i> , Esq; second Judge of Ditto, — — — — —		60	0	0
To <i>William Coleman</i> , Esq; Third Judge of Ditto, — — — — —		60	0	0
To <i>Robert Charles</i> , Esq; his Salary as Agent, £100 <i>Sterling</i> , — — — — —		155	0	0
To the Members of Assembly for their Attendance, as per List, — — — — —		1,123	15	0
To Mr. <i>Fox</i> , for his Attendance on the Committee of Accounts, and burning Bills of Credit, — — — — —		12	0	0
To Mr. <i>Hughes</i> , for Ditto, — — — — —		12	0	0
To Mr. <i>Roberdeau</i> , for Ditto, — — — — —		12	0	0
To Mr. <i>Pearne</i> , for Ditto, — — — — —		12	0	0
To Mr. <i>Baynton</i> , for Ditto, — — — — —		12	0	0
To Mr. <i>Kirkbride</i> , for Ditto, — — — — —		1	10	0
To Mr. <i>Morton</i> , for Ditto, — — — — —		12	0	0
To Mr. <i>Peters</i> , his Salary as Clerk of the Council, — — — — —		15	0	0
To Ditto, for affixing the Great Seal, and other Services, — — — — —		43	17	9
To Mr. <i>Hockley</i> , for affixing the Great Seal, — — — — —		7	10	0
To Messieurs <i>Franklin</i> and <i>Hall</i> , for printing Laws, Votes, &c. — — — — —		51	2	6
To Mr. <i>Norris</i> , for extraordinary Services, — — — — —		30	0	0
To Mr. <i>Galloway</i> , for Ditto, — — — — —		30	0	0
To Mr. <i>Fox</i> , for his Services as Barrack-master, — — — — —		60	0	0
To Mr. <i>Stretch</i> , for making the State-house Clock, and for his Care in cleaning and repairing the same for six Years, — — — — —		494	5	5½
To Mr. <i>Brockden</i> , for his Account of Services, — — — — —		18	7	10
To Mr. <i>Moore</i> , for his Attendance as Clerk of Assembly, and his Account for transcribing, and engrossing Bills, &c. &c. — — — — —		193	9	6
To Mr. <i>Kirke</i> , his Salary as Serjeant at Arms, — — — — —		8	0	0

To Ditto, for Services as per Account, — —	5	0	0
To <i>Andrew M'Near</i> , for his Attendance as			
Door-keeper to the Assembly, — — — —	33	1	1½
To <i>Charles Stow</i> , for summoning the Council,	13	7	6

£ 2,675 6 8

WE, the Committee for incidental Expences have examined the Accounts hereby referred to, and find them charged as usual.

ISAAC SAUNDERS,
JOSEPH GIBBONS,

JOSEPH FOX,
JOSEPH WATSON."

At an ASSEMBLY held in Philadelphia, the Fifteenth Day of October, Anno Domini 1759, P. M.

October 15, 1759.

BY the Returns of the Sheriffs of the several Counties, it appears that the following Gentlemen were chosen to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the ensuing Year, viz.

For Philadelphia County.	For Bucks County.	For Lancaster County.
<i>Joseph Fox,</i>	<i>Benjamin Chapman,</i>	<i>James Webb,</i>
<i>Joseph Galloway,</i>	<i>James Melvin,</i>	<i>Emanuel Carpenter,</i>
<i>John Baynton,</i>	<i>William Smith,</i>	<i>Isaac Saunders,</i>
<i>John Hughes,</i>	<i>Jonathan Ingham,</i>	<i>James Wright.</i>
<i>Daniel Roberdeau,</i>	<i>Jacob Bogart.</i>	
<i>Richard Pearne,</i>		For York County.
<i>Isaac Norris,</i>		<i>John Wright,</i>
<i>Thomas Leech.</i>		<i>David M'Connaughy.</i>
	For Chester County.	For Cumberland County.
For Philadelphia City.	<i>John Morton,</i>	<i>William Allen,</i>
<i>Benjamin Franklin,</i>	<i>George Ashbridge,</i>	<i>John Smith.</i>
<i>William Masters.</i>	<i>Joshua Ash,</i>	
For Bucks County.	<i>Joseph Gibbons,</i>	For Berks County.
<i>Amos Strickland,</i>	<i>Hugh Trimble,</i>	<i>John Potts.</i>
<i>Griffith Owen,</i>	<i>Roger Hunt,</i>	
<i>Joseph Watson,</i>	<i>Peter Dicks,</i>	For Northampton County.
	<i>Isaac Wayne.</i>	<i>Lodowick Beeting.</i>

Some Errors and Omissions appearing in the Returns of Members and Burgesses for the County and City of *Philadelphia*,

Ordered, That *Samuel Morris*, Esq; Sheriff of the said County, have Notice to attend the House at Eleven o'Clock To-morrow Morning, in order to explain and supply the said Mistakes and Omissions.

A Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, when ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the Year ensuing, and accordingly placed in the Chair.

Ordered, That Mr. Fox, Mr. Masters, Mr. Strickland, Mr. Morton, Mr. Webb, Mr. Smith, Mr. Potts and Mr. Beeting do wait on the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives have met, and proceeded to choose a Speaker, and desire to know when his Honour will be pleased to receive the House, that they may present their Speaker for his Approbation.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 16, 1759.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had been at his House for that Purpose, but were prevented from delivering the same by his Honour's being from Home.

Samuel Morris, Esq; Sheriff of the County of *Philadelphia*, attending the House, pursuant to Notice for that Purpose, was called in, and acquainted from the Chair, that his Return for Representatives of said County, was dated on the Second, instead of the First, Instant, the appointed Day of Election through the Province, and that his Return for Burgeses of the City had not the full Number of Inspectors Names required by Law.—To which he replied, that the first mentioned Error was entirely a Mistake in Clerkship that had escaped his Notice, and by Order from the Chair, amended the same at the Table, by inserting the first Day of *October* instead of the Second; the Deficiency of Inspectors Names in the Return of City Members was then supplied by Mr. Fox's subscribing the same at the Table, he being one of the Freeholders present at the said Election.

Copies of the Qualification appointed by Law to be taken by Members of Assembly, and the Test of Abjuration being prepared and brought in by the Clerk, the same were taken and subscribed, first by Mr. Speaker in the Chair, and then at the Table by the rest of the Members present, in their Order.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of Last Night, reported, they had been again at his House, and delivered the same according to Order; to which

his Honour was pleased to say, he would be in the Council Chamber at Half an Hour after Four this Afternoon, in order to receive the House with their Speaker.

A Message by Mr. Secretary :

SIR,

"The Governor requires the Attendance of the House in the Council Chamber."

Then the Speaker, with the whole House, waited on the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, of whom his Honour was pleased to express his Approbation; that he, the Speaker, had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may at all seasonable Times have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report.

Fourthly, That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

Resolved, That *Charles Moore* be Clerk to this House for the ensuing Year; and he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirke* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Andrew M'Nair* be Door-keeper to this House for the ensuing Year.

Resolved, That *Mr. Fox*, *Mr. Galloway*, *Mr. Hughes*, *Mr. Leech*, *Mr. Masters*, and *Mr. Potts*, with the Speaker, be a Committee of Correspondance for the ensuing Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 17, 1759.

Resolved, That *Mr. Fox*, *Mr. Galloway*, *Mr. Smith*, *Mr. Strickland*, *Mr. Ashbridge*, *Mr. Saunders*, *Mr. M'Connaughy*, *Mr. Potts* and *Mr. Beeting* be a Committee of Aggrievances for the ensuing Year, and that they have full Power and Authority to send for Persons, Papers and Records.

Resolved, That Mr. Fox, Mr. Hughes, Mr. Roberdeau, Mr. Baynton, Mr. Pearne, Mr. Watson and Mr. Morton be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange pursuant to the several Paper Money Acts, and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands, and they have full Power and Authority to send for Persons, Papers and Records.

Resolved, That Mr. Fox and Mr. Galloway, with the Speaker, be a Committee to revise and correct the Minutes of this House, before they are printed.

Resolved, That Samuel Preston Moore, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That Benjamin Franklin, Esq; be, and he is hereby continued and appointed Agent of this Province, to solicit and transact the Affairs thereof in *Great-Britain*, in Pursuance of the Powers and Instructions given to him by the last Assembly, and of such further Instructions as may be hereafter given him by this House.

Resolved, That Robert Charles, Esq; be appointed Agent to assist the said Benjamin Franklin in the Discharge of his Duty in Transacting the Affairs of this Province, according to the foregoing Resolve, during his Stay in *Great-Britain*, and then sole Agent for the remaining Part of the Year.

Then the House adjourned to Three o'Clock, P. M.

The House taking into Consideration a Petition from sundry Merchants and others, recommended to them by the late Assembly, praying a Law may be enacted for regulating the Exportation of Bread from this Province, and having spent some Time therein,

Ordered, That Mr. Leech, Mr. Baynton, Mr. Hughes, Mr. Roberdeau, Mr. Masters and Mr. Potts be a Committee to prepare and bring in a Bill at the next Sitting of the House, for the said Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 18, 1759.

The House taking into Consideration, that the Supplementary Act to the Act for preventing the Exportation of Bread and Flour not merchantable, is near expiring, a short Bill for extending the same to a further Term, was prepared at the Table, read the first time, and ordered a second Reading.

A Member then communicating to the House, a Letter from the Printer of the *South-Carolina Gazette*, wherein he ac-

quaints his Friend, that it is not in his Power to send the original Letter from which the Extract published in his Paper No. 35. had been made, as the said Letter is already in *Philadelphia*, or at least was delivered to Captain *Power*, Master of the Sloop *Greyhound*, who sailed for that Port about the 10th ult. and he believes is a Person capable of answering most of the Questions contained in the Commissioner's Letter to his Correspondent at *Charles-town*.

Ordered, That Captain *Noarth*, his Mate *Thomas Mason*, and the said Captain *Power*, have Notice to attend the House at Three o'Clock, this Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

Captain *Noarth* attending, pursuant to Order, was admitted, and being examined from the Chair, in Presence of the Ship Commissioners, touching his Knowledge of the above-mentioned Letter in the *Carolina Gazette*, No. 35. withdrew.

Captain *Power* and *Thomas Mason*, through want of due Notice, and some urgent Business, being prevented from complying with the Summons of the House,

Ordered, That the said *Power* and *Mason* do attend the House at Eleven o'Clock To-morrow Morning.

The House resumed the Consideration of the Bill for extending the Supplementary Act to the Act, entituled, "*An Act for preventing the Exportation of Bread and Flour not merchantable*," which having been read the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 19, 1759.

The Bill for extending the Supplementary Act to the Act, entituled, "*An Act for preventing the Exportation of Bread and Flour not merchantable*," being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, that Mr. *Ingham* and Mr. *Wayne* do wait on the Governor therewith, for his Assent to the same.

Captain *Power* and *Thomas Mason*, attending the House pursuant to Notice, were called in, with Four of the Ship Commissioners, and having been examined before them, withdrew.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down the Bill for extending the Supplementary Act to the Act, entituled, "*An Act for preventing the Exportation of Bread and Flour not merchantable*," with a verbal Message, that his Honour will be in

the Council Chamber this Evening, to enact the same into a Law, if it shall then suit the House to present it to him for that Purpose.

Ordered, That Mr. *Galloway* and Mr. *Masters* do see the Great Seal affixed to the said Bill, after it shall be passed into a Law, and the same deposited in the Rolls Office.

A Message by Mr. Secretary :

SIR,

"The Governor requires the attendance of Mr. Speaker, and the House, in the Council Chamber, in order to enact the Bill, to which he has given his Assent, into a Law."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour with the Bill, entituled, "*An Act for the further Continuance of an Act of Assembly of this Province, entituled, An Act for the Continuance of an Act of Assembly of this Province, entituled, A Supplementary Act to the Act, entituled, An Act for preventing the Exportation of Bread and Flour not merchantable, and for the new Appointment of Officers to put the said Law in Execution,*" to which his Honour had been pleased to give his Assent, by enacting the same into a Law.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 20, 1759.

The Members appointed to see the Great Seal affixed to the Law enacted last Night, and the said Law deposited in the Rolls Office, reported, that the same had been done according to Order.

Ordered, That Mr. *Strickland* and Mr. *Bogart* wait on the Governor, and acquaint him, the House incline to adjourn to *Monday*, the Third Day of *December* next, if his Honour hath no Objection thereto.

The Members return, and report, they had waited on the Governor, with the Message of the House, according to Order; and that his Honour was pleased to say, he had no Objection to their proposed Time of Adjournment.

The House then resuming the Consideration of the Extract in the *Carolina Gazette*, of the Eleventh of *July*, and the Printer's Letter, of *August* Thirty-one following, together with the Declarations of the Ship Commissioners, Captain *Noarth*, his Mate, and Captain *Power*, in Assembly, after some Time spent therein,

Resolved, That it is the Opinion of this House, that *Thomas Yorke*, *Daniel Rundle*, *Peter Chevalier* and *Enoch Story* have

cleared themselves from the Suspicion of being concerned in writing any Letter or Letters relating to the Provincial Ship of War, or any illicit Trade carried on by them, or either of them, as insinuated in the *Carolina Weekly Gazette* of the Eleventh and Eighteenth of *July* last, No. 35 and 36.

Resolved, That *James Child* hath not given sufficient Satisfaction to this House, respecting the said Insinuation.

Ordered, That *Mr. Fox*, *Mr. Galloway*, *Mr. Masters*, *Mr. Leech* and *Mr. Baynton* be a Committee to prepare and bring in a Bill against the next Sitting of the House for removing the said *James Child* from being one of the Commissioners appointed by an Act of General Assembly of this Province, entituled, "*A Supplement to the Act entituled, An Act for granting to his Majesty a Duty of Tonnage on Ships and Vessels, &c.*" and also from being one of the Commissioners appointed by Virtue of an Act, entituled, "*A Supplement to the Act, entituled, An Act for preventing Abuses in the Indian Trade, &c.*" and to appoint some other Person or Persons instead of the said *James Child*, to act as one of the Commissioners for the Purposes in the aforesaid Acts respectively mentioned.

Then the House adjourned to *Monday*, the Third Day of *December* next, at Four o'Clock in the Afternoon.

November 19, 1759.

THE Representatives of this Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, *Mr. Speaker* and a Quorum of the Members met accordingly.

Ordered, That *Mr. Baynton* and *Mr. Smith* wait on the Governor, and acquaint him, the House are met, and ready to receive any Business he may have to lay before them, and request he would be pleased to furnish them with a Copy of the Writ by which they were summoned.

Then the House adjourned to Ten o'Clock To-morrow Morning.

November 20, 1759.

The Members appointed to wait on the Governor with the Message of Yesternight, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would order the Secretary to attend the House with a Copy of the Writ by which they had been called, at Eleven o'Clock this Forenoon.

Mr. Secretary attending, pursuant to his Honour's Directions, was admitted, and acquainted the House, that he had received Orders from the present Governor, *JAMES HAMIL*.

TON, Esq; to lay before them a Copy of the Writ by which they had been summoned, by the late Governor, to meet him in Assembly, and delivered the same at the Table; which being read, and the House taking into Consideration, that Governor DENNY, by whom the said Writ had been issued, is now superseded by the Arrival of JAMES HAMILTON, Esq; appointed to succeed him in the Government, and being of Opinion, that no Inconvenience can arise from deferring any Business, at present before them, to the Time of their last Adjournment, now near at Hand,

Ordered, That Mr. *Strickland* and Mr. *Wayne* wait on the new Governor, and acquaint him, that the House incline to adjourn to the Third of next Month, the Day of their last Adjournment, if his Honour hath no Objection thereto.

The Members return, and report, they had waited on the Governor with the Message of the House, and that his Honour was pleased to say, he had no Objection to their proposed Adjournment, but heartily concurred with them therein.

Then the House adjourned accordingly to *Monday*, the Third of *December* next, at Four o'Clock in the Afternoon.

December 3, 1759.

Mr. Speaker, and Twenty of the Members, met, pursuant to Adjournment, but a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

December 4, 1759.

Mr. Speaker, and the other Members present last Night, met again, but a Quorum not yet appearing, they adjourned to Ten o'Clock To-morrow Morning.

December 5, 1759.

The House met, pursuant to Adjournment.

Mr. *Pearne* and Mr. *Gibbons* this Day appearing in the House for the first time since their Election, were qualified at the Table as usual, and took their Seats accordingly.

Ordered, That Mr. *Morton* and Mr. *Watson* wait on the Governor, and acquaint him, that the Members have been prevented, by the late Severity of the Weather, from coming to Town, agreeable to their Adjournment, but that a Quorum are met this Morning, and ready to receive any Business his Honour may have to lay before them.

Mr. Speaker communicated to the House a Letter received Yesterday from *John Stamper*, Esq; Mayor of the City of *Philadelphia*, which was read by Order, and is as follows, viz.

Mr. Speaker, *SIR*,

I AM to request the Favour of your Company to dine with the Corporation, on *Thursday*, next, and to beg this Favour

of you, that you will be so good as from the Chair to signify to the Members of Assembly the Request of the Mayor and Commonalty, that they would also favour us with their Company on that Day. Your obliging me in this, will be an Obligation laid on,

SIR,

*Your Friend and humble
Servant, John Stamper,
Mayor."*

Tuesday, Dec. 4, 1759.

*To ISAAC NORRIS, Esq; Speaker
of the House of Assembly.*

Mr. Speaker also laid before the House sundry Papers delivered to him by Captain *James Child*, one of the Commissioners for the Province Ship of War, containing a Remonstrance from the said *Child* to the House; a Copy of a Letter signed *J. C.* and *R. S.* to their Correspondent, *Kennedy Mulkere*, in *Montserrat*; and the Depositions of Captain *Noarth*, his Mate, *Thomas Mason*, and *Richard Power*, Master of the *Greyhound* Sloop, condemned at *Charles-Town*, on board of which the Letter, from whence the Extract in the *Carolina Gazette* was taken, is said to have been found; which Papers were severally read, and the said Remonstrance follows in these Words, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of Pennsylvania, in General Assembly met.

The REMONSTRANCE of JAMES CHILD, of the City of Philadelphia, Merchant,

Humbly sheweth,

THAT your Remonstrant, as appears by a Copy of the Resolves of the said Representatives, made the Twentieth Day of *October* last, which he had received, having not hitherto been so happy as to convince the Honourable House of his Innocence, respecting the Writing any Letter or Letters, relating to the provincial Ship of War, or any illicit Trade carried on by him, as insinuated in the *Carolina weekly Gazette* of the Eleventh and Eighteenth of *July* last, No. 35 and 36, begs Leave that he may be permitted to lay before the House a clear State of the Facts, as they are attested and corroborated by the several Depositions of *Thomas Mason*, *Richard Power* and *George Noarth*, Mariners.

And first, *Thomas Mason*, of the said City, Mariner, on the Twenty-fifth of *October* last, before *Alexander Stedman, Esq*; one of his Majesty's Justices, made Oath, that he verily believed the short anonymous Letter, wrote with Abbreviations,

which he, the said Deponent, saw in *Charles-Town, South-Carolina*, signed *J. C.* and of which he gave this Honourable House a particular Account at his Examination before them, the Nineteenth of *October* last, was not the Hand-writing of your Remonstrant, and the Reason of such his Belief was, that he was well acquainted with your Remonstrant, and his Hand-writing, wherewith the Hand-writing of the said Letter did not agree.

On the Thirtieth of the same Month, *October*, *Richard Power*, of the said City, Mariner, who, in the Month of *June* last, was Master of the Sloop *Greyhound*, before *John Stamper*, Esq; one of his Majesty's Justices, likewise made Oath to the same Purport and Effects, as the said *Thomas Mason*, with this Difference, that, to the best of his, the said *Richard Power's*, Remembrance and Belief, the said anonymous Letter was not signed *J. C.* And the said *Richard Power* did then further depose and say, that on or about the Fifteenth of *July* last, he delivered to your Remonstrant a Letter, and to sundry other Persons Letters, which he brought from *Charles-Town* aforesaid, being Letters that were on board the Sloop *Greyhound*, that was taken by Captain *Noarth*, and carried to *Charles-Town* aforesaid, and that he was not certain the said Letter he, the said *Richard Power*, delivered to your Remonstrant, was the said anonymous Letter; and the said *Richard Power* did likewise make Oath, that your Remonstrant, to the best of his, the said Deponent's, Knowledge and Belief, was not either directly or indirectly concerned in the said Sloop, or in her Cargo, either by Commission, or otherwise.

On the said Thirtieth of *October*, before the said *John Stamper*, Esq; *George Noarth*, of the said City, Mariner, also made Oath, that on or about the Ninth of *June* last, he took the Sloop *Greyhound*, *Richard Power*, Master, and carried her to *Charles-Town* aforesaid, where she was condemned. That the said *Richard Power* had told this Deponent, that he was afraid your Remonstrant would be a great Sufferer, for that he was largely concerned in the said Sloop and her Cargo; but, on further Examination, the said *Richard Power* told the Deponent, that your Remonstrant was not concerned in the said Sloop or Cargo, and that this Deponent did not see, or open, or read any Letters that were on board the said Sloop, till some Time after his Arrival in *Carolina* aforesaid; and respecting the anonymous Letter, he exactly agrees with the other Deponents, that it was not the Hand-writing of

your Remonstrant. And this Deponent further declared, that he did not, at any Time, discover your Remonstrant was anywise concerned in the said Sloop, or her Cargo, and that he believed your Remonstrant was no way concerned therein, either directly or indirectly nor in the Management of her, or in her Lading.

All which will appear fully to the Honourable House, in the several Affidavits herewith produced.

Your Remonstrant humbly begs Leave further to observe, that the said *Richard Power*, who came Passenger here in Captain *Noarth*, in *July* last, on his Arrival, delivered to your Remonstrant a Letter, which he said he believed belonged to your Remonstrant, as it was directed to his Correspondent in the *Montserrat*. Your Remonstrant being acquainted with the Hand-writing of the Superscription, and observing the Seal to be broke, immediately sealed it again, and put it on board a Vessel, bound, to the best of his Remembrance, to *Antigua*, which Letter your Remonstrant thinks was the Original of the annexed Copy; and does positively declare, for Truth, that the Letter last above-mentioned was the only Letter he received from Captain *Power*, and that he sent it away as above-mentioned.

Your Remonstrant likewise declares to the Honourable House, that he was no way, either directly or indirectly, concerned in writing, or promoting the Letter printed in the *Carolina Gazette*, and that he never wrote to *Carolina*, nor spoke to any Person to write, nor did any Manner of Thing to evade the Force of the said Charge in the *Carolina Paper*, but what he signed and had printed in the *Pennsylvania Paper*.

And your Remonstrant further positively avers, that he was no way concerned in lading, shipping or otherwise aiding or countenancing any contraband or illicit Trade, either in the said Sloop, or any other Vessel or Way whatsoever, since the Commencement of the present War.—That he never made any Application to the Captain or any Officer belonging to the *Pennsylvania Frigate*, either to favour his or any other Person's Interest.—And so far was your Remonstrant from having any thing to do with any Kind of illicit Trade whatever, that when he has been consulted concerning the *Monte Christi Trade*, he always gave for Answer, As the Public had reposed a Trust in him, it was a sufficient Reason to induce him to avoid the very Appearance of Illicitness in Trade, however innocent a certain Trade might be in itself, or how much it might contribute to his private Interest.

Wherefore your Remonstrant humbly hopes you will consider his Case in its true State, and that the Honourable House may be convinced of his real Innocence.

Philadelphia, November 20, 1759.

JAMES CHILD.

N.B. The Remonstrant apprehends, that the Honourable House understood the Letter brought from *Carolina* by *Power*, was delivered to the Remonstrant after the Arrival of the *Carolina Gazette* at *Philadelphia*, in which Gazette is insinuated the Charge understood to be against one of the Commissioners of the Province Ship; which is not the Case; for the Letter, as appears by *Power's Affidavit*, was delivered to the Remonstrant on the Fifteenth of *July* last, and the said *Carolina Weekly Gazette* did not arrive till the Seventh of *August* following, before which Time the Remonstrant had forwarded the said Letter delivered him by *Power*, as the Remonstrant thinks, by Way of *Antigua*, and was thereby disabled from producing it to the Honourable House, to shew his Innocence of the Charge insinuated in the said Gazette.

Ordered, That the foregoing Remonstrance, with the Depositions and other Papers accompanying it, lie on the Table for the Perusal and Consideration of the Members.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House, in the Forenoon, reported, they had delivered the same according to Order; to which his Honour was pleased to say, it was very well, and that he should expect the House would meet him in the Council Chamber at Twelve o'Clock To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 6, 1759.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members, immediately in the Council Chamber."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker reported, that they had waited on his Honour, who had been pleased to make a Speech to the House, a Copy of which he had delivered to him, and the same being read, follows in these Words, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

"THE Honourable Proprietaries having been pleased, with his Majesty's Royal Approbation, again to appoint me to the Government of this Province, it gives me great Satisfaction that I have an Opportunity, so soon after my Arrival, of

meeting you in Assembly, and contributing my best Assistance to any Measures which may tend to the King's Honour, or the public Service.

'The Events of the War in *America*, during the last Campaign, have been so many, and so glorious, and, with a proper Attention, may be rendered so beneficial, both to our Mother Country and her Colonies, that I cannot omit most sincerely to congratulate you upon them, and in a particular Manner on the very agreeable Change in in the Face of Affairs in this Province since my Departure.

'As it is not the usual Season of your Sitting to do Business, I know not whether you will incline to enter upon it at this Time, or make an Adjournment to some future Day, which may be more convenient to your private Affairs;—in either Case I shall readily acquiesce in what is most agreeable to you, seeing I have no Commands from the Crown, or from the Proprietaries, that require immediately to be laid before you; whenever I shall be honoured with any such, which may be expected so soon as his Majesty shall have determined on the further Operations of the War, I shall take the earliest Occasion of communicating them to you.

'It only remains at present, Gentlemen, that I acquaint you with my firm Purpose and Resolution to serve the Province by all honourable Means in my Power, at once paying a Regard to the Rights of the Crown, and the just Privileges of the People, which, in the great Model of the *English* Government, are so intimately connected as to afford mutual Aid and Support to each other, but which, if they are unhappily suffered to interfere, never fail to banish Order, and introduce Confusion.

'I cannot therefore but entertain Hopes, that upon this Principle of acting, I shall both merit and receive an Approbation of my Conduct, from Gentlemen so long conversant in public Affairs.—At the same Time, from my Affection to the Province, the Assemblies and People may reasonably promise themselves every Act of Kindness and Favour it may be in my Power to shew them, consistent with my Honour, and the Trust reposed in me."

The House then taking into Consideration that the advanced Season, and great Severity of the Weather, have put a Stop to all military Operations till Spring, and that the present low State of the Public Funds requires a great Part of the Provincial Forces to be immediately paid off and disbanded, after some Time spent therein, referred the further Consideration to To-morrow Morning.

Mr. Speaker, and the Members present, agree to dine with the Corporation this Afternoon, pursuant to their Invitation of Yesterday.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 7, 1759.

The Governor, by Mr. Secretary, sent down a written Message to the House, with a Copy from the Minutes of the Council, of a Conference held with *Teedyuscung*, and two *Indian* Messengers from the *Ohio*, on the Fourth Instant, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'THERE are two *Indian* Messengers in Town from the *Ohio*, who, with *Teedyuscung*, to whom they were recommended to be conducted here, have been assisting in a Council of *Indians* held at *Atsunsing*, an *Indian* Town situate on the *Cayuga* Branch of *Susquehanna*. This Meeting, as they have privately informed me, is only preparatory to a general Council, which the Western *Indians* propose to hold in the Month of *April*, over the *Ohio*, and to which they have invited *Teedyuscung*, and the Chiefs of the *Indian* Nations living on the Waters of the *Susquehanna*.

'It gives me great Satisfaction to find, from what has been said to me by these *Indians*, a Copy of which is now laid before you, that the several Tribes of Western *Indians* are well affected towards us, and I should be glad, before I return them my Answer, to be advised by you in what Manner this favourable Disposition may be best improved.

'*Teedyuscung* having delivered to me four Prisoners, two elderly Women, and two Boys, who were quite naked and destitute, I recommend it to you to enable me to make some Provision for them, and likewise to send these Messengers away well pleased with their Reception, being of Opinion, with *Teedyuscung*, that it will be of great Service at this Time to engage the Friendship of the Nation to whom they belong.

December 7, 1759.

JAMES HAMILTON."

Ordered, That the Minutes of the Governor's Conference with *Teedyuscung*, sent down with the foregoing Message, lie on the Table for the Perusal of the Members.

The House then resumed the Consideration of disbanding the Provincial Forces, and having spent some Time therein, adjourned to Three o'Clock, *P. M.*

The House proceeded in the Consideration of the Number of Provincial Troops, which it may be necessary to continue

in the Pay of this Government, and, after some Debate thereon, it was resolved upon the Question, that One Hundred and Fifty of the said Troops shall be kept up, or continued in Pay, to garrison the Forts on the Frontiers, and that the Remainder of them be disbanded with all convenient Speed.

The House resumed the Consideration of the Governor's Speech of Yesterday, together with his Honour's Message of this Forenoon, and having spent some Time therein,

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Melvin*, Mr. *Morton*, Mr. *Allen*, Mr. *Potts* and Mr. *Beeting* be a Committee to prepare and bring in Answers to the said Speech and Message against To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 8, 1759.

The Committee appointed to prepare and bring in Answers to the Governor's Speech of the Fifth Instant, and his Message of Yesterday upon *Indian* Affairs, reported, they had essayed Draughts for those Purposes, which they presented to the Chair, and the same being read, and agreed to, were ordered to be transcribed.

Resolved, That the Sum of *Five Hundred Pounds* be paid out of the Provincial Treasury to the Honourable JAMES HAMILTON, Esq; Lieutenant-Governor, &c. from the first Money that shall be raised for the public Use.

And an Order was accordingly drawn on the Treasurer, and signed by Mr. Speaker, by Order of the House, for Payment of the same.

The Answers of the House to the Governor's Speech and late Message, together with a Message to his Honour, being transcribed, and signed by the Speaker, were compared at the Table, and are as they respectively follow, *viz.*

May it please your HONOUR,

WE, the Representatives of the Freemen of *Pennsylvania*, in General Assembly met, beg Leave to congratulate your Honour on your safe Arrival in this Province, and to return our hearty Thanks for the Readiness you are pleased to express "to contribute your best Assistance to any Measures which may tend to the King's Honour, or the public Service."

The Governor's "Resolution and Purpose of serving the Province by all honourable Means, at once paying a Regard to the Rights of the Crown, and the just Privileges of the People," cannot fail of giving us the highest Pleasure, as we are well assured the just Rights of this Government, which are founded, as near as a Proprietary Government well can

be, on the Principles of its Parent Constitution, so remarkable for its excellent Policy, cannot be preserved without a strict Regard to the Prerogative of the Crown, and the Liberties of the Subject.

This Resolution in your Honour is so agreeable to the Plan we have ever been, and are still determined to pursue, as the only one that can secure Prosperity and Happiness to the People we represent, that we think it our Duty to assure your Honour that every Measure, which can tend to promote those Purposes, shall ever meet with our ready Approbation and Concurrence.

We cannot omit our sincere Acknowledgments to the Governor, for his Congratulations on the happy and glorious Events of the War in *America*, and the agreeable Change of Affairs in this Province, in particular, since his Departure; and your Honour may be assured a due Attention to them, and the best Endeavours to make them as advantageous to our Mother Country and her Colonies as possible, shall not be wanting in this Branch of the Legislature.

As your Honour is pleased to inform us you have no Commands from the Crown to lay before us, (to which, whenever communicated, we shall pay the greatest Respect and Regard) and we have no Business that requires our immediate Attention, we are inclineable to adjourn to such Time as we may reasonably expect to be furnished with them.

Signed by Order of the House,

December 8, 1759.

ISAAC NORRIS, Speaker."

May it please your HONOUR,

THE Conferences with *Tedyuscung*, and the Messengers from the *Ohio*, laid Yesterday before the House, by your Honour, are very agreeable to us; and we are pleased to find the friendly Disposition of the several Tribes of Western *Indians* towards us; which, in all Probability, if well improved, may influence the Nations in Favour of the *British* Interest, who have heretofore been too much attached to the *French*: And as it appears, by these Conferences, that the Western Tribes of *Indians* have opened a Road to us through *Teedyuscung's* Settlement, and have invited him to their great Council, to be held next Spring, on the *Ohio*, we presume it may be of considerable Advantage to encourage *Teedyuscung* to undertake the Journey, on this important Occasion; and we are of Opinion, if *Frederick Post* and *Isaac Stille* were to accompany him, it might be of more general Service; and request, that they may have Instructions to insist upon the Delivery of all

We have recommended the other Parts of your Honour's such of his Majesty's Subjects as have unfortunately fallen into the Hands of the *Indians*, during the late Troubles. Message to the Commissioners, who will make a suitable Provision for the Prisoners now delivered, and also take Care that the Messengers from the *Ohio* shall depart well satisfied with their Reception amongst us.

Signed by Order of the House,

December 8, 1759.

ISAAC NORRIS, *Speaker*."

May it please your HONOUR,

THE House having taken into Consideration the great Burden of Taxes the People of the Province are under, the large Arrears now due to the Soldiery, the peaceable and quiet Situation of our Frontiers, the happy Effect of the Peace lately made with the Natives, at a very heavy Expence to this Province alone, and the little Use in keeping up and supporting the present large Number of Troops, during the inactive Season of Winter, have come to a Resolution to request your Honour would take the most speedy and effectual Measures to disband the old as well as new Levies, save the Number of One Hundred and Fifty Men, Officers included, which we have agreed to support for such Garrisons as you shall think necessary to keep up on our Frontiers.

And as there is not Money sufficient in the Treasury, at present, to pay the Troops their full Arrears, we have resolved to pay them as far as is in our Power; and whatever Sum shall be wanting for that Purpose, shall be given in Certificates, bearing Interest from their respective Dates, to be discharged out of the next Money granted for his Majesty's Service.

Signed by Order of the House,

December 8, 1759.

ISAAC NORRIS, *Speaker*."

Ordered, That Mr. Fox and Mr. Roberdeau wait on the Governor with the foregoing Address and Messages from the House, and deliver to his Honour their Draught upon the Treasury, and acquaint him they incline to adjourn to *Monday*, the Eleventh of *February* next, if he hath no Objection thereto.

The Serjeant at Arms having laid before the House his Accounts of Fees against *William Moore* and *William Smith*, committed to his Custody by a former Assembly, and acquainting them that he hath never yet received any Part thereof,

Ordered, That Mr. Hughes and Mr. Baynton do examine the said Accounts, and rate them agreeable to the Table of Fees established by the Votes of the House.

The Members appointed to examine and rate the Serjeant at Arms's Accounts, agreeable to established Fees of the House, reported, they had done the same according to Order, and delivered them at the Table.

Ordered, That the Clerk do certify, on the said Accounts, that they have been examined, by Order of the House, and are allowed.

The Members appointed to wait on the Governor with the Messages of the House, to deliver their Draught on the Treasury, and acquaint him with their proposed Time of Adjournment, reported, they had done the same according to Order; to which his Honour was pleased to say, he was much obliged to the House for their Order on the Treasury, and should have no Objection to their Adjournment, if, upon perusing the Messages just delivered him, he should find they contained nothing that required their longer Sitting. of which he would immediately inform them by the Secretary.

Mr. Secretary attending, by Order of the Governor, acquainted the House that his Honour desired they would adjourn to the Afternoon only, the late Governor having received and transmitted to him a Letter from General *Stanwix*, relating to the Provincial Forces, which he was desirous of communicating to the House, with a Message, before they broke up.

Then the House adjourned to Four o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a written Message to the House, with a Letter from General *Stanwix* to the late Governor, dated at *Pittsburg*, October 18, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'YOUR Message of this Day, requesting me to take the most speedy and effectual Means to disband the old as well as new Levies, save the Number of One Hundred and Fifty Men, Officers included, gives me a good deal of Concern, as it advises a Measure which I am sorry I cannot think expedient, at this Juncture, for the following Reasons:

First, it is not certainly known what may have been the Issue of General *Stanwix's* late Conferences with the Western Indians at *Pittsburg*; or whether the Peace between them and his Majesty's Subjects is so firmly established, as to admit with Safety to the Province, of so great a Reduction of the Provincial Troops.— In order likewise to reap the full Benefit of any Treaty which may have been made, it is of Advantage to make our new Friends sensible that we are in a Condition to enforce the Execution of it, or at least that we have no

Reason to be afraid of them: Neither of which is the more like to be effected by disbanding so great a Part of our Forces.

'*Secondly*, I am apprehensive, that if so great a Reduction takes Place, considering the small Number of Regulars in the Province, there will not be a sufficient Number of Men to garrison the several Posts, which are thought necessary to be secured, to keep up the Communication from one to another, and to serve for Escorts of Stores, Provisions, &c.

'*Thirdly*, As his Majesty's Orders, in regard to the Further Operations of the War, may every Day be expected, I cannot think it advisable that such a Measure should be taken, until his Royal Pleasure shall be known therein, or at least till the General be made acquainted with it, and hath Time to provide against such an Event, it being more than probable, from General *Stanwix's* Letter, communicated to me by the late Governor, that he hath already made a Disposition of the Forces for the Winter, upon a Supposition that the Provincials would be continued as formerly.

'Upon the Whole, Gentlemen, I earnestly desire you will please to reconsider this Matter, which, in my Opinion, is of the greatest Importance, with the Attention it deserves, and suspend the coming to any final Resolution thereon, until the several Particulars above-mentioned be more fully known.

December 8, 1759.

JAMES HAMILTON."

GENERAL STANWIX's Letter to GOVERNOR DENNY.

SIR,

Pittsburg, October 18, 1759.

I OUGHT to say something for my long Silence, but really it has proceeded from my not having any Thing very material to trouble you with. We are proceeding here to establish a good Post, by erecting a respectable Fort: Our Advancements are far unequal to my Wishes, beginning so very late as the Tenth of *September*, which was as soon as I got up Working Tools, and have continued as many Troops here as I can feed for the Works, and have been often brought to Eight Days Provisions. It is this that must bound every Enterprise of every Sort in this so distant a Country, and all Land Carriage.—I shall struggle the best I can, and do my possible for the Public.

Give me Leave to put you in Mind, that the first and second Battalion of your Troops are only paid to the First of *August* last; at the First of *January* they will have five Months Pay due.—They now complain of the Hardship of not being paid their Arrears; and as the Service may require me to leave Part of them here, and on the Communications. their Complaints and

Uneasiness, if there is no Fund provided by your Assembly to pay them, must certainly increase.

The new Levies, raised for the present Campaign, were paid four Months Pay at Enlisting, and they will have about four Months Pay due the First of *January*.—The Want of Money to pay off the new Levies for last Year, who were discharged by a Certificate of Arrears at *Lancaster*, without Money, Quarters, Provisions or Credit, laid the Recruiting Officers and Service, this Year, under great Disadvantages.—The Troops in Garrison, and on the Communication, suffered greatly by Death and Desertions, although they were then paid to the First of *October*, and now only to the First of *August*.—The paying up the Arrears, at the End of this Campaign, will render future Enlistments easy next Spring, or whenever wanted; as whatever Hardships the Troops may suffer through Winter for the Want of their Pay, must disgust them at the Province, and render even the filling up the old Battalions much more expensive to the Government.—I understand that the Whole of the *Pennsylvania* Forces, which were raised for three Years, are free in *May* or *June* next.—As your Assembly generally meet towards the End of this Month, thought it my Duty to give you my Opinion on those Matters, in as few Words as I could; who am, with very great Truth,

SIR, Your most obedient and most humble Servant,

JOHN STANWIX."

The House taking the foregoing Message from the Governor, and General *Stanwix's* Letter, into Consideration, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Masters* and Mr. *Pearne* be a Committee to prepare and bring in an Answer to the said Message.

Then the House adjourned for an Hour.

The House met again, and the Committee appointed to bring in an Answer to the Governor's Message, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, agreed to by the House, and transcribed, was signed by Mr. Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WE have taken into our Consideration your Message of this Day, and are sorry we cannot think the Reasons you have offered sufficient to induce us to revoke our Resolves, and withdraw our Request that you would disband the Provincial

Forces, except the Number of One Hundred and Fifty Men, Officers included.

In Answer to your Honour's first Reason, we beg Leave to remark, that 'tis true we have not been made acquainted with the Issue of General *Stanwix's* late Conferences with the Western *Indians* from the General, nor ever shall be, unless he should be pleased to communicate them to your Honour: But, from Numbers of Circumstances, besides the Conferences now before us, we have Reason to be persuaded that the Western *Indians* have laid down their Arms, and are ready to accept of any reasonable Proposals of Peace that shall be made to them by this Province, or his Majesty's Commander in Chief in these Parts: And if the great and uncommon Success of his Majesty's Arms in *America*, the last Campaign, does not make the *Indians* sensible that his Majesty can enforce the Execution of the late Treaties made with them, we cannot think the small Aid of our Provincials will avail much to that Purpose.

Secondly, we have never been acquainted with the Number of Regulars to the Westward; and though we had, we apprehend it cannot be collected, but rather the contrary, from his Majesty's Orders, by his Secretary of State, that it is expected we should supply Men to garrison the several Forts that are thought necessary to keep up the extensive Communication from one Post to another; and was it expected, our Constituents, as observed in a late Message to your Honour, are not able to support the Burden.

Thirdly, We cannot think that our being unacquainted with his Majesty's Orders, in regard to the further Operations of the War, ought to be any Reason with us against disbanding our Forces in the Winter Season, as this Practice is consistent with that of our Neighbour Colonies, even in Times of the greatest Danger; besides, by the Terms of the Enlistment of the new Levies, they have now a Right to demand it, their Enlistment being for the Campaign only, and common Humanity to the old Levies, was the Province in a Condition to support them, would prevail with us to insist on this Measure, as they have been kept from Winter Quarters, without Intermission, ever since their Enlistment, now more than three Years, and early every Spring forced into the Field, without the least Opportunity of recruiting; while most of the Regulars have had the Advantage of every Refreshment, during the Seasons of Inaction.—This could not fail of occasioning the Sufferings, and indeed the Death of many of them, and should the General make the Disposition intimated by your

Honour, the like unhappy Consequences must certainly follow in a more dangerous Degree, as well as prevent future Enlistments in the Spring, should any unforeseen Occurrence render them necessary.

We therefore are obliged, in Duty to the People we represent, to persist in our Request, that your Honour would be pleased to disband the Provincial Forces, agreeable to our former Message.

Signed by Order of the House,
ISAAC NORRIS, *Speaker."*

December 8, 1759

Ordered, That Mr. *Masters* and Mr. *Gibbons* wait on the Governor with the foregoing Message, and acquaint him, that the House presuming his Honour hath no further Business to propose to them than what is fully answered therein, they have adjourned to the Time before notified to him.

Then the House adjourned accordingly to *Monday*, the Eleventh of *February* next, at Four o'Clock in the Afternoon.

February 11, 1760.

MR. Speaker, with Twenty-two of the Members, met, pursuant to Adjournment, but a Quorum not appearing, they adjourned to Three o'Clock Tomorrow Afternoon.

February 12, 1760.

The House met, pursuant to Adjournment.

Ordered, That Mr. *Watson* and Mr. *Dicks* wait on the Governor, and acquaint him, the House are met, and ready to proceed upon any Business his Honour may have to lay before them.

The Members return, and report, they had delivered the Message of the House according to Order; and that his Honour was pleased to say, he should send them a Message To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 13, 1760.

Mr. *James Wright* this Day appearing in the House, for the first time since his Election, was qualified as usual, at the Table, and took his Seat accordingly.

A Petition from *William Henderson* and *Peter Dehaven*, of the City of *Philadelphia*, was presented to the Chair, and read, praying, that if the Contribution-Fire-Company should, as proposed, make Application to Assembly for Leave to bring in a Bill to regulate the Chimney-Sweepers of the City aforesaid, and be indulged therein, the Petitioners may be appointed Officers to put the said Act in Execution.

Ordered to lie on the Table.

The Rules of the House being then read as usual, were agreed to, with the following additional Resolve, for regulating the Members Attendance thereon, *viz.*

Resolved, That every Member who shall be absent from the House (except on *Mondays*) longer than Half an Hour after the Bell ceases to ring in the Fore-and Afternoon, shall be subject to a Fine of *One Shilling* for every such Delinquency, and that Mr. *Pearne* is hereby appointed and empowered to collect the said Fines, for the Use of the *Pennsylvania Hospital*.

The Governor, by Mr. Secretary, sent down to the House a Letter from his Excellency General *Amherst*, dated the Thirty-first ult. also a written Message, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

‘BY the Letter now communicated to you, which I have had the Honour to receive from his Excellency General *Amherst*, you will perceive, that the Resolution taken at your last Meeting of disbanding so considerable a Part of our Provincial Forces, has given him the greatest Concern, as well as very much distressed Major-General *Stanwix*, who commands his Majesty’s Troops to the Westward. And that expecting daily to receive the King’s Commands for the Operations of the ensuing Campaign, he presses me, in the most earnest Manner, to move you to repair the same by as early a new Levy as possible.

‘As I have not the least Doubt, Gentlemen, of your Zeal to promote the King’s Service, and that of your Country, I persuade myself you will decline no reasonable Means in your Power for the Attainment of those valuable Ends. And as the Circumstances of the War on this Continent, notwithstanding the Success with which it has pleased God to bless his Majesty’s Arms, will, in all Probability, require the Work of another Campaign to bring it to such an Issue as may be agreeable to his Majesty’s Views, I see not how you can render a more acceptable Service to the King, and to the Nation, from whom we have received such seasonable and unlimited Protection, than by seconding, according to your Ability, all such Measures as his Majesty, in his Wisdom, is pleased to direct for that Purpose.

‘You will give me Leave therefore, Gentlemen, to recommend to you, in the strongest Manner, a Compliance with the General’s Request signified in his Letter, and that in such due Season, that the Troops, when called upon, may be in Read-

ness to enter upon the Service to which they may be destined, sensible, as you must be, that much of the Success of military Operations depends upon the being able to take the Field early, and before the Enemy can have strengthened themselves, by collecting their whole Forces.

'Whatever further shall occur to me in the Course of the Session, that may be proper for your Consideration, shall, from Time to Time, be communicated by Message, as Occasion may require.

February 12, 1760.

JAMES HAMILTON."

Letter from his EXCELLENCY GENERAL AMHERST.

New-York, January 31, 1760.

SIR,

I HAVE not sooner acknowledged the Receipt of your Letter of the Ninth Instant, because I was in dally Expectation of the Arrival of a Packet with the King's Commands for the Operations of the ensuing Campaign, and his Requisition from his faithful *American* Subjects for their Aid and Assistance towards carrying on the same, but as she is not yet come in, I can no longer defer repeating my most pressing Instances to you, in Case I should not receive any such Commands before the Eleventh of next Month, to which Time I see your Assembly is adjourned, to move them to make fresh Provision for at least the like Number of Men they have so hastily disbanded, a Measure which gives me the greatest Concern, as by a Letter this Moment received from Major-General *Stamwix*, it has greatly distressed him; I trust therefore that the Assembly, sensible as they must be of this Distress, will repair the same by as early a new Levy as possible. I am, with great Regard,

SIR, Your most obedient humble Servant,
JEFF. AMHERST."

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. *William Peters*, sent down an Order to the House from the Lords of the Privy Council, on the Complaint of *William Smith*, Provost of the College and Academy of *Philadelphia*, against the Assembly of *Pennsylvania*, for the Year 1758, with a Petition to his Honour from the said *William Smith*, praying, that as the said Order is a Paper of the utmost Consequence to all the Freemen of this Province, as well as for the Petitioner's Relief, the Governor would be pleased, agreeable to the Tenor thereof, and his Majesty's Directions therein signified, to communicate the same to the Assembly.

With the above-mentioned Papers, the Secretary also de-

livered a written Message from his Honour to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'HAVING been served by the Reverend Mr. *William Smith*, Doctor of Divinity, with an Order made by his Majesty's most Honourable Privy Council, on the Twenty-sixth of *June* last, upon the Petition and Appeal of the said *William Smith* to his Majesty, complaining of certain Hardships and Oppressions alleged to have been suffered by him from the Assembly of this Province for the Year 1758; I herewith lay before you both the said original Order, and the Petition of the said Doctor *Smith* to me thereupon.

'And as I am therein commanded, in the King's Name, forthwith to signify to you, *his Majesty's high Displeasure at the unwarrantable Behaviour of the said Assembly, in assuming to themselves Powers which did not belong to them, and invading both his Majesty's Royal Prerogative, and the Liberties of the People*; I do, in Obedience to the said Order, hereby signify the same to you accordingly.

February 13, 1760.

JAMES HAMILTON."

A Petition from the said Doctor *William Smith* was presented to the House and read, setting forth, that a few Days after their last Adjournment, the Sergeant at Arms had exhibited a Bill of Fees against the Petitioner, claimed on Account of some Transactions of a former Assembly, and certified to be examined and allowed by Order of this House; that the Petitioner having sundry material Objections to the Payment of the said Bill, which he hopes will have sufficient Weight when submitted to the Consideration of the House, therefore prays they will not proceed to any Judgment or Determination against him, on Account of said Fees, without giving him an Opportunity of being previously heard.

Ordered to lie on the Table.

A Petition from sundry Owners of Swamp and Meadow-land, lying on an Island betwixt *Hollanders-Creek, Hay-Creek*, and the River *Delaware*, in the County of *Philadelphia*, was presented to the House and read, praying Leave to bring in a Bill to oblige the Owners of said Land to pay the Expence of maintaining their respective Proportions of the Banks thereof, and such other Conveniences as may be judged necessary to the common Security of the said Owners.—*Referred to further Consideration.*

The House then resumed the Consideration of the Governor's Message sent down in the Forenoon, and having spent

some Time therein, adjourned to Ten o'Clock To-morrow Morning.

February 14, 1760.

The House resuming the Consideration of the Governor's Message of Yesterday, after some Debate thereon,

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Strickland*, Mr. *Morton*, Mr. *Webb* and Mr. *Potts* be a Committee to prepare and bring in an Answer thereto.

The Petition from sundry Owners of Swamp and Meadow-Land, lying on an Island between *Hollanders-Creek*, *Hay-Creek*, and the River *Delaware*, being read the second time, and considered,

Ordered, That the Petitioners have Leave to bring in a Bill for remedying the Inconveniencies represented in their said Petition.

A Representation from the Commissioners for *Indian Affairs* was presented to the House and read, setting forth,

That since their Address to the late Assembly for having a Road cut from the inhabited Part of this Province to *Fort Augusta*, they have suffered great Inconvenience, and many Losses, in the Transportation of their Goods up and down the River *Sasquehanna*, owing chiefly to the Difficulty of the Navigation, and Insufficiency of the *Battoes*.

That as the *Indians* appear to be well pleased with the Trading-House at *Shamokin*, and desirous of having it regularly and well supplied with Goods, the Commissioners cannot but lament the present Irregularity, Uncertainty and Expence in that Part of the Carriage, which has been so frequently interrupted by the Rise and Fall of the Waters, and Obstructions by Ice in the River *Sasquehanna*, and that as these Observations are founded on Experience, they submit it to the Consideration of the House, whether the Cost of cutting a Road to *Shamokin*, according to the Survey returned by *Benjamin Lightfoot* to the late House of Assembly, now improved by some additional Observations in another Draught made by him, and herewith laid before the House, would not be fully repaid by a considerable Abatement in the present heavy Cost of Transportation, and in the Security and Regularity of the Supplies for carrying on the Trade, and serving other public Occasions.

That the Commissioners do further beg Leave to observe, that with the Advice, and at the pressing Instance of the late Governor and General, they have established a Tradeing-house at *Pittsburg*, for the Use and Conveniency of the *Indians* inhabiting near the Western Frontiers of this Province, and

were in Hopes that the Wisdom and Goodness of the Legislature, so fully discovered by the Law under which they act, joined to the present General's own Approbation of their extending it to *Pittsburg*, would have secured a particular Attention and Protection to the Trade; but, on the contrary, they are sorry to find, that the Horses which they have sent to the Westward with Goods, have been generally impressed and kept in the King's Service, till they were so harrassed and worn out, as to be unfit for further Use; But this is not the only Misfortune which has attended the Infant State of the Trade there, the General being advised (as there is the strongest Reason to believe) in this Matter of public Concern and Moment, by a Person remarkable in this Province for his Mismanagement of every private Trust, has laid the Trade almost open and free, by granting Licence and Protection to many Persons, as Suttlers to the Garrison, under Cover of which they have carried on a mischievous Trade with the *Indians*; for these Persons, sensible of their Inability to supply them with dry Goods on the same Terms with the Provincial Agent, have had Recourse to the Sale of spirituous Liquors, in which, though contrary to the Treaties held between this Government and the *Indians*, as well as in Defiance of the present Law, they have sold, and still continue to sell, a considerable Quantity of Liquors, not only to the great Disadvantage of the Provincial Trade, but also to the great Abuse of the *Indians*, which may in the End be productive of all that Train of Evils formerly complained of by them.

That the Commissioners are fully persuaded very great Loss will attend the Trade they are now carrying on at *Pittsburg*, and that the good Uses of the Law will be wholly lost, both to the *Indians* and the Public, whilst private Persons are permitted to trade with less Interruption than the Commissioners, and in such Articles as will bear the Expence of Carriage up and down, much better than those which the Agent can have; for it is well known that spirituous Liquors will always command the choicest Furs.

That if these Inconveniencies cannot be remedied, the Commissioners submit to the Consideration of the House, whether it will not be most adviseable to withdraw the Trade from *Pittsburg* entirely.

Then the House adjourned to Three o'Clock, P. M.

The Representation of the Commissioners for *Indian Affairs*, being again taken up, and read the second time, was referred to further Consideration.

A Petition from the Directors of the *Philadelphia* Contribu-

tionship for insuring Houses from Loss by Fire, was presented to the House and read, setting forth,

That notwithstanding the Care of the Legislature to prevent Accidents and Losses by Fire, it is found, upon Experience, that the good Intent of the several Acts of Assembly passed for that Purpose, is not fully answered in the City of *Philadelphia*, and that other Regulations, not prescribed by the said Acts, are become necessary.

That the Difficulty of procuring Chimney-sweepers when required, is become Matter of general Complaint, and the careless, imperfect Manner in which they perform that necessary Service, hath occasioned frequent Alarms by Fire, during the late severe Weather.

That the Act for establishing a Powder-house is now expired, and the common Practice of storing Gun-powder amongst the Buildings, and drawing it through the Streets of this City, without covering the Casks containing the same, is very hazardous, the Cause of much Uneasiness to the Inhabitants, and may greatly affect the Contributionship committed to their Care.

That therefore the Petitioners request the House will be pleased to take the Premises into Consideration, and grant such Relief therein as they shall judge necessary.

Ordered, to lie on the Table for the Perusal and Consideration of the Members.

The Committee appointed to prepare and bring in an Answer to the Governor's Message, reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, and agreed to, was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 15, 1760.

Petitions from *Thomas Austin* and *Daniel Williams* were presented to the House and read, praying to be appointed officers for executing the Law now under Consideration of the House for regulating the Exportation of Bread.

The Answer of the House to the Governor's Message being transcribed, according to Order, was again read, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WE have again, at your Instance, taken into our Consideration the Subject of disbanding our Forces at our last Meeting, and as nothing new is offered either in General *Amherst's* Letter laid before us, or your Message, to induce us to alter

our Opinion, we cannot help approving our former Resolution, which was founded on the Practice of the other Colonies, on a Principle of Humanity towards our Forces, who, during the Space of three Years, and upwards, had not had the Relief of Winter Quarters, but been confined, without Intermission, to hard Military Duties, and upon a Conviction of Incapacity of our Constituents to support the Expence of maintaining so large a Number of Men from Year to Year: But our Reasons on this Head are so fully set forth in our Message to your Honour of the Eighth of *December*, that we apprehend, had General *Amherst* been acquainted with them, and reflected on the Practice of the other Colonies, he could not, with Propriety, have called that Measure an "hasty" one, which was taken in this Province after many others of the Colonies had shewn the Example.

What "Distress" this Measure can have brought on General *Stanwix*, we are at a Loss to judge, as we presume, had he Occasion of more Men to the Westward, he would have drawn off from *Lancaster* the several Companies of Regulars now in Winter Quarters at that Place.

To which your Honour will give us Leave to add, that it cannot be reasonably expected we should, before we have the least Intimation of his Majesty's intended Operations for the ensuing Campaign in these Parts of his Dominions, or what Aids he shall be graciously pleased to demand of this Province, proceed in granting Supplies, or raising new Levies, for Purposes with which we are not acquainted: Your Honour may be assured, whenever these are laid before us, of finding the same Zeal and Chearfulness in promoting, according to our Abilities, his Majesty's Service, and the Good of the Province, which have been so repeatedly manifested by this Part of the Legislature during the Course of the present War.

Signed by Order of the House,

February 15, 1760.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Wayne* and Mr. *Saunders* wait on the Governor, and deliver the foregoing Message.

Then the House adjourned to Three o'Clock. *P. M.*

The Members appointed to wait on the Governor with the Answer of the House to his Honour's Message of the Thirty-first ult. reported they had delivered the same according to Order.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 16, 1760.

The Committee appointed in a former Sitting of Assembly

to prepare and bring in a Bill for regulating the Exportation of Bread from this Province, reported they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered a second Reading.

A Petition from *Edward Jones*, Shopkeeper, of the City of *Philadelphia*, was presented to the House and read, praying to be appointed the Officer to put the afore-mentioned Act in Execution.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 18, 1760.

The House met, pursuant to Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

February 19, 1760.

A Petition from divers of the Inhabitants of the County of *Berks* was presented to the House and read, setting forth, that the salutary Measures taken by the Government for preserving and continuing the Peace lately concluded between this Province and the *Indians*, are likely to be frustrated by the imprudent Conduct of certain People of the said County, who, during the late hunting Season, have gone in Companies far into the *Indian* Country, in Pursuit of Deer and other Game, to the great Damage and Displeasure of the *Indians*, as such Practice deprives them of that Subsistence which they believe intended by Providence for them only, and, if persisted in, the Petitioners fear may be attended with fatal Consequences to the Peace and Welfare of the Province; wherefore they pray the House would take the Premises into Consideration, and prevent this growing Evil, by laying the Inhabitants under such Restrictions in Hunting, as they may judge necessary.—

Ordered to lie on the Table.

The House resumed the Consideration of the Bill for preventing the Exportation of Bread not merchantable, and after some Time spent therein, adjourned to Three o'Clock, *P. M.*

A Petition from sundry Owners of Swamp, Marsh, and Meadow-Ground, lying in the Township of *Kingsessing*, on the Rivers *Delaware* and *Schuylkill*, in the County of *Philadelphia*, was presented to the House and read, setting forth, that draining Swamps and marshy Grounds, and reducing them to good Meadow-Land, is of great Utility to the Public, as well as advantageous to the Possessors, though very expensive to them; that this Expence is considerably lessened by inclosing Large Tracts together, within proper general Banks, to defend the whole against high Tides and Freshes; that such

Banks, though a great Security to all the Owners of said Grounds, are a heavy Burden on Particulars, whose Shares lying next the Rivers and Creeks, oblige them to be at the whole Trouble and Expence of making and repairing the same; that the Petitioners are informed, divers other Owners of large Tracts of Swamp and Meadow-Ground, have lately petitioned for Leave to bring in a Bill to render the Expence of banking and draining such Lands more equal on the several Owners thereof, which Bill is now under Consideration of the House, and, if passed into a Law, they pray that the Benefits and Regulations thereof may be extended to all the Owners of Swamp, Marsh and drained Meadow, under like Circumstances, in the Township of *Kingsessing*.

Ordered to lie on the Table.

A Petition from sundry Inhabitants of the Townships of *Blockley, Kingsessing* and County of *Philadelphia*, was presented to the House and read, praying a Revisal of the Law for repairing Highways, and such Alterations and Amendments thereon, as will render the same more useful and equal in the Expence of executing it.—*Referred to further Consideration.*

A Bill to enable the Owners of *Greenwich-Island* to embank and drain the same, to keep the Outside Banks, Dams and Drains, in good Repair for ever, and to raise a Fund to defray sundry contingent and yearly Expences accruing thereon, being, pursuant to Leave from the House, brought in, was presented to the Chair, and read the first time.

The House then resumed the Consideration of the Bill for preventing the Exportation of Bread not merchantable; and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

February 20, 1760.

The House proceeded in the Consideration of the Bill for preventing the Exportation of Bread not merchantable, which being in Part read the second time, and debated, they adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for preventing the Exportation of Bread not merchantable, and, after a considerable Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

February 21, 1760.

A Petition from *William Crabb*, of the City of *Philadelphia*, Baker, was presented to the House and read, praying to be appointed Inspector of Bread exported from this Province.

The House having been acquainted that two, or more, *Indians* had been lately murdered near *Carlisle*, in the County of

Cumberland, and that Captain *Callender*, who was one of the Inquest upon the dead Bodies, and could give some Account of the said Murders, was in Town.

Ordered, That the said Captain *Callender* have Notice to attend the House at Four o'Clock in the Afternoon.

The House then resumed the Consideration of the Bill for preventing the Exportation of Bread not merchantable, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down to the House a Letter from his Excellency General *Amherst*, dated the Fourteenth Instant, also a written Message, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I NOW lay before you a second Letter from his Excellency General *Amherst*, upon the same Subject with that which I communicated to you at the Opening of the Session, *viz. The making a Provision for a new Levy of Men on the Part of this Province, for the Service of the ensuing Campaign.*

'As I cannot think of any Motives to induce you to a Compliance with the General's Request, stronger than those I made Use of in my Message of the Twelfth Instant, allow me to refer you to that Message, and to the General's Letters upon the Subject, in the last of which, the Reason, and I may say Necessity of the proposed Measure, is set forth more authoritatively than it was in his Power to do before the Receipt of his Letters from his Majesty's principal Secretary of State for this Department.

'You will therefore further allow me, Gentlemen, to recommend it to you, to reconsider all that has passed upon this Occasion, and the evident Necessity there seems to be, that all his Majesty's Colonies should, at this Time, contribute liberally towards bringing to a happy Conclusion the War hitherto so successfully carried on; and then, I doubt not, but you will think it incumbent on you to make such a Provision for the intended Operations, as shall be thought equal to their Importance.

February 21, 1760.

JAMES HAMILTON."

Captain *Callender* attending pursuant to Notice for that Purpose, informed the House that he had been lately on an Inquest, held by the Coroner of *Cumberland County*, on the Bodies of Doctor *John*, and a Male Child, two of a Tribe of *Indians* in Friendship with this Government, and that it was the Opinion and Verdict of the Jury that they were wilfully

murdered by some Persons unknown, and that it was suspected the Wife, and another Child of the said Doctor *John*, was likewise murdered, they being missing from their usual Place of Abode, and not to be found or heard of.

The House taking into Consideration the mischievous Effects which the said Murders may have on the Peace lately made with the *Indians*, and the Welfare of the Province, if proper Measures are not taken to prevent the same,

Resolved, That for the detecting, discovering and punishing the Murderers of the said *Indians*, the Governor be requested to offer a Reward of an *Hundred Pounds* for each Murderer, to be paid upon their Conviction, to any Person or Persons who shall discover them; and that the Governor be also requested to dispatch a Messenger to the *Indians* at *Wyoming*, to inform them of the said Murders, and of the Means he is taking to bring the Offenders to Justice, and to use such further Methods as shall appear to him necessary to prevent the Mischiefs which may otherwise arise from this unhappy Transaction.

Ordered, That Mr. *Fox*, Mr. *Masters*, Mr. *Hughes* and Mr. *Ashbridge* wait on the Governor, and acquaint him with the foregoing Resolve.

The Members return, and report, they had delivered their Message according to Order, and that the Governor was pleased to inform them, he had wrote fully on the Occasion to the Magistrates of *Cumberland County*, to use their utmost Endeavours to bring the Offenders to Justice, and that he should continue to take every Means in his Power for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 22, 1760.

The Bill for preventing the Exportation of Bread not merchantable, being transcribed, according to Order, was read the third time, and compared at the Table.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from the Owners of Meadow-Lands in the Townships of *Moyamensing* and *Passyunk*, praying, that as they cannot agree amongst themselves upon a Bill for draining and banking the said Lands, the House would be pleased to frame such a Law for that Purpose, as shall appear to them most reasonable and equitable.

The Bill for preventing the Exportation of Bread not merchantable, being read the third time, and the Officer's Name inserted,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Baynton* and Mr. *Roberdeau* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 23, 1760.

The Members appointed to wait on the Governor with the Bill entituled, "*An Act more effectually to prevent the Exportation of Bread not merchantable*," reported, they had delivered the same, according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The House then resuming the Consideration of the Remonstrance of Captain *James Child*, one of the Commissioners for the *Pennsylvania Frigate*, and the Depositions of Captain *Noarth*, his Mate, and Captain *Power*, with other Papers laid before them, by the said *Child*, to exculpate himself from the Charge insinuated against the said Commissioners in the *Carolina Gazette* of *July* last, No. 35 and 36, after some Time spent therein,

Resolved, That it is the Opinion of this House, that the said *James Child* hath now cleared himself to their Satisfaction from the Suspicion of writing any Letter or Letters relating to the Provincial Ship of War, as hinted in the said Gazette, or of being concerned in any illicit or clandestine Trade, inconsistent with his Trust as a Commissioner for the said Ship, and that therefore the Committee appointed to prepare a Bill to remove him from the said Trust, be ordered not to bring in a Draught for that Purpose.

Then the House adjourned to *Monday* next, at Four-Clock in the Afternoon.

February 25, 1760.

The House met, pursuant to their Adjournment.

A Petition from the Owners of the Meadows, called *Point-no-Point Meadows*, was presented to the House and read, praying Leave to bring in a Bill for repairing and supporting a Dam on *Gunner's Creek*, in the public Road leading to the said Meadows, and for other Purposes mentioned in the said Petition.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 26, 1760.

A Petition from *Elizabeth Connelly*, relating to a Tract of Land in the *Southern Liberties*, was presented to the House and read.—*Ordered to lie on the Table.*

The House resuming the Consideration of the Petition of sundry Owners of Meadows, called *Point-no-Point Meadows*, and having spent some Time therein,

Ordered, That the Petitioners have Leave to bring in a Bill for the Purposes mentioned in their Petition.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down the Bill, entitled, "*An Act to prevent the Exportation of Bread not merchantable*," with sundry Amendments thereon, which were read, and an Answer thereto being drawn at the Table,

Ordered, That Mr. *Bogart* and Mr. *Smith* wait on the Governor, and deliver the said Bill, with the Answer of the House to his Amendments thereon.

The House then resuming the Consideration of the Petition from the Directors of the Contributionship for ensuring Houses against Fire, and having spent some Time therein,

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Masters* and Mr. *Webb* be a Committee to prepare and bring in a Bill for regulating Chimney-Sweepers in the City of *Philadelphia* and Borough of *Lancaster*.

The Members appointed to wait on the Governor, with the Bill for preventing the Exportation of Bread not merchantable, and deliver the Answer of the House to his Amendments thereon, reported, they had delivered the same according to Order, and that his Honour was pleased to say, he would take them into immediate Consideration.

A Remonstrance from sundry private House-keepers in the Borough of *Lancaster*, on whom Soldiers were illegally quartered in the Winter 1758, was presented to the House and read, praying such Compensation from the Government as shall be allowed to the Tavern-keepers for that Service.—*Referred to further Consideration.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 27, 1760.

Ordered, That Mr. *Hughes*, Mr. *Roberdeau*, Mr. *Baynton* and Mr. *Masters* wait on the Governor, and acquaint him, the House having been informed, by some of their Members, that the Plan of Operations for the ensuing Campaign has been some Days arrived, they are unwilling to proceed upon other Business till the Orders of the Crown shall be laid before them, and therefore request his Honour will be pleased to let them know when they may expect to hear from him on that Head.

The Members return, and report, they had waited on the

Governor with the Message of the House, according to Order; and that his Honour was pleased to say, he had just signed a Message to the House, and sent the Secretary down, with Mr. Pitt's Letter, containing his Majesty's Demands from this Province for the ensuing Campaign.

Mr. Secretary attending, delivered a written Message from the Governor to the House, with a Letter from the Honourable Mr. Pitt, dated at *Whitehall* the Seventh of *January* last; also two letters from his Excellency General *Amherst*, of the Twenty-first Instant, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'SINCE my Message to you, of the Twenty-first Instant, relative to a Levy of Men from this Province for the Service of the ensuing Campaign, I have had the Honour to receive from the Right Honourable Mr. Secretary Pitt his Majesty's Commands to the following Purpose, *viz.* *That I should forthwith use my utmost Endeavours and Influence with the Council and Assembly of this Province, to induce them to raise, with all possible Dispatch, within my Government, at least as large a Body of Men as they did for the last Campaign, and even as many more as the Number of its Inhabitants may allow; and that forming the same into Regiments, as far as shall be found convenient, I should direct them to hold themselves in Readiness, as early as may be, to march to the Rendezvous, at such Place or Places as may be named for that Purpose by the Commander in Chief of his Majesty's Forces in America, or by the Officer who shall be appointed to command the King's Forces in those Parts, in order to proceed from thence, in Conjunction with a Body of his Majesty's British Forces, under the Supreme Command of the Officer to be appointed as above, so as to be in a Situation to begin by the First of May, if possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged, by the commander of his Majesty's Forces in those Parts, most expedient for annoying the Enemy.*

'That the King is pleased to furnish all the Men, so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportions and Manner as is done to the rest of the King's Forces. That a sufficient Train of Artillery will be also provided, at his Majesty's Expence, for the Operations of the Campaign. And that the Whole that the King expects and requires from the several Provinces, is

the Levying, Cloathing and Pay of the Men.—And on those Heads also, that no Encouragement may be wanting to the fullest Exertion of your Force, his Majesty is further most graciously pleased to permit that you be acquainted, that strong Recommendations will be made to Parliament, in their Sessions next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit.

'As I have, Gentlemen, ordered the Whole of the Secretary of State's Letter (of which the above is an Extract) to be laid before you, you will therein see, and cannot but be filled with Gratitude at, the gracious and affectionate Manner in which his Majesty is pleased to take Notice of his *North-American* Subjects, and to mention his Expectations that they will continue most chearfully to co-operate with, and second, to the utmost, the large Expences, and extraordinary Succours, supplied by *Great-Britain* for their Preservation and Security. I do therefore (as well in Obedience to his Majesty's Commands, as from a full Conviction of the Expediency, and even Necessity, of the Measure) think it my Duty to press you, in the warmest Manner, to make Provision, with all possible Dispatch, for raising as large a Body of Men, for the Service of the ensuing Campaign, as you did for the last, and even of as many more as the Number of our Inhabitants may allow, so that they may be assembled at the Rendezvous, hereafter to be appointed by General *Amherst*, by the Tenth Day of *April* next at furthest, agreeable to his Excellency's Expectations, signified to me in his Letter of the Twenty-first Instant, now likewise laid before you.

'I persuade myself, Gentlemen, I need not make use of many Words to induce you to exert yourselves at this critical Juncture. His Majesty's Orders are arrived, and laid before you: The Occasion is weighty and pressing; and I cannot doubt of finding in you the same Zeal and Chearfulness in promoting the King's Service, and the Good of the Province, which have been so often manifested by former Assemblies.

February 27, 1760.

JAMES HAMILTON."

The SECRETARY OF STATE's Letter.

SIR,

Whitehall, January 7, 1760.

HIS Majesty having nothing so much at Heart as to improve the great and important Advantages gained the last Campaign in *North-America*, and not doubting that all his faithful and brave Subjects there will continue most chearfully to co-operate with, and second, to the utmost, the large Expence,

and extraordinary Succours, supplied by this Kingdom for their Preservation and future Security; and his Majesty considering that the several Provinces, from *Pennsylvania* inclusive to the Southward, are well able, with proper Encouragements, to furnish a Body of several Thousand Men, to join the King's Forces in those Parts, for some offensive Operations against the Enemy; and his Majesty not judging it expedient to limit the Zeal and Ardour of any of his Provinces, by making a Repartition of the Forces to be raised by each respectively for this most important Service, I am commanded to signify to you the King's Pleasure, that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province to induce them to raise, with all possible Dispatch, within your Government, at least as large a Body of Men as they did for the last Campaign, and even as many more as the Number of its Inhabitants may allow; and forming the same into Regiments, as far as shall be found convenient, that you do direct them to hold themselves in Readiness, as early as may be, to march to the Rendezvous, at such Place or Places as may be named for that Purpose by the Commander in Chief of his Majesty's Forces in *America*, or by the Officer who shall be appointed to command the King's Forces in those Parts, in order to proceed from thence in Conjunction with a Body of his Majesty's *British* Forces, and under the supreme Command of the Officer to be appointed as above, so as to be in a Situation to begin by the First of *May*, if possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged, by the Commander of his Majesty's Forces in those Parts, most expedient for annoying the Enemy: And, the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province as you shall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men: In the Disposition of which Commissions, I am persuaded, you will have nothing in View but the Good of the King's Service, and a due Subordination of the Whole when joined to his Majesty's Commander: And all Officers of the Provincial Forces, as high as Colonels inclusive, are to have Rank according to their several respective Commissions, agreeable to the Regulations contained in his Majesty's Warrant of the Thirtieth of *December*, One Thousand Seven Hundred and Fifty-nine.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces; and a sufficient Train of Artillery will also be provided, at his Majesty's Expence, for the Operations of the Campaign; the Whole, therefore, that the King expects and requires from the several Provinces, is the Levying, Cloathing and Pay of the Men; and on these Heads also, that no Encouragement may be wanting to the fullest Exertion of your Force, his Majesty is further most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parliament, in their Sessions next Year, to grant a proper Compensation of such Expences as above, according as the active Vigour, and strenuous Efforts of the respective Provinces, shall justly appear to merit.

It is his Majesty's Pleasure that you do, with particular Diligence, immediately collect, and put into the best Order, all the Arms issued last Campaign, which can be anywise rendered serviceable, or that can be found within your Government, in order that the same may be employed, as far as they will go, in this Exigency.—I am at the same Time to acquaint you, that a reasonable Supply of Arms will be sent from *England*, to replace such as may have been lost, or have become unfit for future Service.

I am further to inform you, that similar Orders are sent by this Conveyance to *Maryland, Virginia, North-Carolina and South-Carolina*.

The Northern Governments are also directed to raise Men in the same Manner, to be employed in such offensive Operations as the Circumstances and Situation of the Enemy's Possessions in those Parts may point out, which it is hoped will oblige them so to divide their Attention and Forces, as will render the several Attempts more easy and successful.

It is unnecessary to add any Thing to animate your Zeal in the Execution of his Majesty's Orders on this great Occasion, where the future Safety and Welfare of *America*, and your own Province in Particular, are so nearly concerned; and the King doubts not, from your known Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch in this promising and decisive Crisis. I am,

SIR, Your most obedient humble Servant,

W. PITT."

His EXCELLENCY GENERAL AMHERST'S Letter.

SIR,

New-York, February 21, 1760.

WITH his Majesty's Commands for the Reduction of all *Canada*, received last Night, I likewise had the Copy of Mr. Secretary *Pitt's* circular Letter to the Northern and Southern Governors, of the Seventh of *January* last, the Original of which goes inclosed, and whereby you will see, that his Majesty having nothing so much at Heart as to improve the great and important Advantages gained the last Campaign in *North-America*, and not doubting that all his faithful and brave Subjects there, will continue most chearfully to co-operate with, and second, to the utmost, the large Expence and extraordinary Succours supplied by the Kingdom of *Great-Britain*, for their Preservation and future Security; and his Majesty considering, that the several Provinces, from *Pennsylvania* inclusive to the Southward, are well able, with proper Encouragement, to furnish a Body of several Thousand Men, to join the King's Forces in those Parts, for some offensive Operations against the Enemy; and his Majesty not judging it expedient to limit the Zeal and Ardour of any of his Provinces, by making a Repartition of the Forces to be raised by each respectively, for this most important Service he (Mr. Secretary *Pitt*) is commanded to signify to you the King's Pleasure, that you do forthwith use your utmost Endeavors and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, within your Government, at least as large a Body of Men as they did for the last Campaign, and even as many more as the Number of its Inhabitants may allow; and forming the same into Regiments, as far as shall be found convenient, that you direct them to hold themselves in Readiness, as early as may be, to march to the Rendezvous, at such Place or Places as may be named for that Purpose, by the Commander in Chief of his Majesty's Forces in *America*, or by the Officer who shall be appointed to command the King's Forces in those Parts, in order to proceed from thence in Conjunction with a Body of his Majesty's *British* Forces, and under the supreme Command of the Officer to be appointed as above, so as to be in a Situation to begin by the First of *May*, if possible, or as soon after as shall be any way practicable, such offensive Operations as shall be judged by the Commander of his Majesty's Forces in those Parts, most expedient for annoying the Enemy.

As the King's Directions, on the foregoing Subject, are so

fully stated in the above Abstract, I have only to request that you would exert your utmost Endeavors to incite and encourage your Assembly to the full and due Execution of the King's Commands, in a Matter so essential to the future Welfare and Prosperity of the several Provinces, and the Success of the ensuing, decisive, and (it is greatly hoped) last Campaign in *North-America*; which desirable Ends cannot be better attained than by commencing the Operations as early as shall be practicable; and that nothing may be left undone, that is possible for me to attempt, in the Execution of his Majesty's Commands, I must be urgent with you to quicken and expedite the Levies of your Province, so that they may be assembled at the Rendezvous, which I shall hereafter appoint, by the Tenth of *April* next at furtherest.

I have also, in Command from his Majesty, to recommend to you the Collecting and putting into a proper Condition, all the Arms which can be anywise rendered serviceable, or that can be found within your Government, in order that the same may be employed, as far as they will go, in this Exigency; as a further Reason for which, I refer you to my Letter of the Sixteenth of *February*, 1759, and now offer you the same Encouragement I did then, *viz.* that for every one of such Arms as any of your Men shall bring with them, and that may be spoiled or lost in actual Service, I will pay at the Rate of *Twenty-five Shillings* a Firelock.

From this Encouragement, and your known Fidelity and Attachment to his Majesty, I have no Doubt of your exerting yourself, to the utmost, on this great Occasion, where the future Safety and Welfare of *America*, and of your own Province in particular, are so nearly concerned. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST.

P. S. The *Albany* Sloop of War, which brought the inclosed Dispatches, will sail again for *England* in Ten Days."

GENERAL AMHERST'S second Letter to the GOVERNOR.

SIR,

New-York, February 21, 1760.

JUST after I had closed my circular Letter of this Date, to the several Governors of his Majesty's Provinces and Colonies on this Continent, of which you will herewith receive one, I was favoured with yours of the Sixteenth Instant, covering your Message to the Assembly, in Consequence of my Request of the Thirty-first of *January*, and their Answer thereto, whereby I see they entirely decline entering upon the

Consideration of a new Levy, until the Amount of the Aids demanded by the King, as well as the Purpose for which they are intended, shall be laid before them, in which Case they promise a Continuance of the same Zeal for promoting his Majesty's Service, which they have so repeatedly manifested in the Course of the War.

As I have the Satisfaction to accompany this with Dispatches, which must fully answer those Ends, I rely on their Promise, and trust they will raise for the Services of the ensuing Campaign, at least as many, if not more, Men than they did for the last. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST."

Then the House adjourned to Three o'Clock, *P. M.*

The House resuming the Consideration of the Governor's Message, with Mr. Secretary *Pitt's* and General *Amherst's* Letters, laid before them in the Forenoon, after some Time spent therein,

Resolved, That Two Thousand Seven Hundred effective Men, Officers included, be furnished by this Government for the Service of the ensuing Campaign.

Ordered, That Mr. *Leech* and Mr. *Potts* wait on the Governor, acquaint him with the foregoing Resolve, and request he will be pleased to furnish the House with the Amount of Arrears due to the Provincial Forces, and an Estimate of the current Year's Expence, from the beginning of *January* last.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 28, 1760.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would furnish the House with the Estimates required, as soon as they can be procured.

The Governor, by Mr. Secretary, again sent down the Bill, entitled, "*An Act more effectually to prevent the Exportation of Bread not merchantable,*" with a Paper of Observations thereon, which being read, the House adjourned to Three o'Clock, *P. M.*

The House resuming the Consideration of the Governor's Message of Yesterday, which was again read, and having spent some Time therein,

Resolved, That the Sum of *One Hundred Thousand Pounds* be granted to his Majesty's Use, for defraying the Arrears of the last Campaign, and for Levying, Paying and Cloathing Two Thousand Seven Hundred effective Men, Officers included, to act in Conjunction with a Body of his Majesty's *British* Forces, in such offensive Operations as shall be carried on and prosecuted by his Majesty's Commander in Chief, during the ensuing Campaign, and for other Purposes for the King's Service.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to consider of Ways and Means of sinking the above Grant of *One Hundred Thousand Pounds* to his Majesty for the Service of the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 29, 1760.

The Governor, by Mr. Secretary, sent down to the House an Estimate of the Arrears of the last Campaign, and of the Expence of Levying, Paying and Cloathing Two Thousand Seven Hundred Men for the Service of the current Year, which were severally read, and are as they respectively follow, *viz.*

*ESTIMATE of Arrears due to the Pennsylvania Forces.
The Province of Pennsylvania Dr.*

TO Certificates of Arrearages of Pay given by the Paymaster to Officers and Soldiers, bearing Six <i>per Cent.</i> Interest, <i>viz.</i>	
Officers Certificates, from No. 1. to No. 152. inclusive, — — — — —	£ 10,396 13 2
Soldiers Certificate, from No. 1. to No. 1760.	10,106 0 0
Arrears of Pay due to sundry Officers and Soldiers, not yet settled with the Paymaster for about — — — — —	1,500 0 0
	<hr/>
	£ 22,002 13 2

By Order of the Governor,

Philadelphia, Feb. 28, 1760.

JAMES YOUNG, Paymaster.

ESTIMATE of the Expence of raising Two Thousand Seven Hundred Men, and paying the same for Nine Months.

BOUNTY Money for 2,544

Men, at Six Pounds *per*

Man, as given last year — £ 15,264 0 0

Officers Premium, at <i>Twenty Shillings per Man</i> , for Recruiting Expences, — — —	2,544	0	0
Subsistence Money, at <i>One Shilling per Day</i> , till they come to the general Rendezvous, and receive the King's Provisions, <i>Forty-five Shillings per Man</i> , —	5,724	0	0
Total of Recruiting Expences	£ 23,532	0	0

The Monthly Pay of the Whole, viz.

3 Colonels, at <i>Twenty-four Shillings per Day</i> each, for Thirty Days, £	108	0	0
3 Lieutenant-Colonels, at <i>Seventeen Shillings per Day</i> , — — — — —	76	10	0
3 Majors, at <i>Fifteen Shillings per Day</i> , —	67	10	0
39 Captains, at <i>Ten Shillings per Day</i> , — — —	585	0	0
48 Lieutenants, at <i>Five Shillings and Six-pence per Day</i> , — — — — —	396	0	0
48 Ensigns, at <i>Four Shillings per Day</i> , — — —	288	0	0
3 Chaplains, at <i>Six Shillings and Eight-pence per Day</i> , — — — — —	30	0	0
3 Adjutants, at <i>Four Shillings per Day</i> , —	18	0	0
3 Quarter-Masters, at <i>Four Shillings per Day</i> , — — — — —	18	0	0
3 Surgeons, at <i>Seven Shillings and Six-pence per Day</i> , — —	33	15	0
96 Serjeants, at <i>Two Shillings per Day</i> , — —	288	0	0

96	Corporals, at <i>One Shilling and Eight-pence</i> <i>per Day</i> , — — — —	240	0	0
48	Drummers, at <i>One Shilling and Eight-pence</i> <i>per Day</i> , — — — —	120	0	0
2304	Private Soldiers, at <i>One Shilling and Six-pence per Day</i> , — —	5,184	0	0
<hr/>				
2700	Total Pay for One Month, — — — — —	£	7,452	15 0
Total Pay for Nine Months, — — — — —				67,074 15 0
Officers Baggage and Forage-Money, as allowed last Campaign, — — — — —				1,122 0 0
Total, — — — — —				£ 91,728 15 0
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By Order of the Governor,

Philadelphia, Feb. 28, 1760. JAMES YOUNG, Paymaster."

The House, according to the Resolution of last Night, resolved itself into a Committee of the whole House, in order to consider of Ways and Means for raising a Fund for sinking the Sum of *One Hundred Thousand Pounds*, to be granted to his Majesty's Use for the Service of the current Year; and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had made some Progress in the Business before them, and desired Leave to sit again in the Afternoon; which being agreed to, the House adjourned to Four o'Clock, *P. M.*

The House again resolved itself into a Committee of the whole House, to consider further of Ways and Means of raising a Fund for the Service of the current Year; and, having spent some Time therein, Mr. Speaker resumed the Chair, and Mr. *Leech* reported from the Committee, that they had gone through the Business referred to them, and had come to a Resolve thereon, which they had directed him to report, whenever the House will be pleased to receive the same.

Ordered, That the Report of the Committee be received immediately.

Mr. *Leech* then, according to Order, reported the said Resolve of the Committee of the whole House, which he first read in his Place, and then delivered at the Table, where the

same being also read, was agreed to by the House, and is as follows, *viz.*

Resolved, That, for sinking the Sum of *One Hundred Thousand Pounds*, granted to his Majesty's Use, for the Purposes expressed in the Resolve of Yesterday, a Tax be laid and levied on all Estates, real and personal, and Taxables within this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 1, 1760

A Petition from sundry of the Proprietors of *Greenwich Island* was presented to the House and read, setting forth, that they are informed a Bill has been laid before them for embanking the said Island, and for repairing and maintaining the Banks thereof; by which Bill, as it stands, the Petitioners conceive they shall be greatly injured, and damaged in their private Property, should the same be enacted into a Law, without great Alterations; wherefore they pray the House would be pleased to permit their Clerk to furnish them with a Copy of the said Bill, by which they may be enabled to point out the Defects and Inequality thereof to the House, and also give Leave that they may be heard thereon, if Occasion should require.

The House resuming the Consideration of their Resolve of *Wednesday* last, for raising Two Thousand Seven Hundred Men, for the Service of the ensuing Campaign, after some Time spent therein,

Resolved, That the said Two Thousand Seven Hundred Men be divided into two Battalions, consisting of Twenty-seven Companies, each Company to have one Captain, one Lieutenant, one Ensign, two Serjeants, two Corporals, one Drummer, and Ninety-two Privates.

Resolved. That the Officers and Men already raised, and in Pay of this Province, be a Part of the Number to be supplied by the foregoing Resolve.

Resolved, That it is the Opinion of this House, that there be allowed to each able-bodied Man, entering voluntarily into the said Service, the Sum of *Five Pounds*, as a Bounty for his Enlistment.

Resolved, That it is the Opinion of this House, that there be allowed to each Officer, properly authorized, the Sum of *Twenty Shillings* for each able-bodied Volunteer he shall enlist into the said Service.

Ordered, That Mr. Galloway, Mr. Leech, Mr. Masters, Mr. Melvin, Mr. Hunt, Mr. Carpenter, Mr. Smith and Mr. Potts be

a Committee to prepare and bring in a Bill for granting the Sum of *One Hundred Thousand Pounds* to his Majesty's Use, for the Service of the current Year.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 3, 1760.

The House met, pursuant to Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

March 4, 1760.

The Committee appointed to prepare and bring in a Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

March 5, 1760.

Two Petitions, one from sundry Inhabitants of the City and County of *Philadelphia*, the other from a Number of Freeholders, residing on the West Side of *Schuylkill*, in the County of *Chester*, were presented to the House and read, praying that the Rates for passing the several Ferries, kept on the said River, may be lowered, as the Profits arising to the Keepers thereof are become exorbitant, and a Burden to the Public.

Ordered to lie on the Table.

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. a Part whereof being read the second time, and debated, the House adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and a considerable Debate arising thereon,

Ordered, That Mr. *Lecch*, Mr. *Fox*, Mr. *Masters*, Mr. *Watson*, Mr. *Dicks* Mr. *Webb*, Mr. *Smith*, Mr. *Potts* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for ascertaining the proportional Sum to be yearly paid by the several Counties within this Province, towards sinking the said Grant of *One Hundred Thousand Pounds* to his Majesty's Use.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 6, 1760.

The House proceeded in the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand*

Pounds, &c. and having spent some Time therein, adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, which being in Part read, and debated, they adjourned to Ten o'Clock To-morrow Morning.

March 7, 1760.

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. which being read through the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 8, 1760.

The Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. being transcribed to Order, was read the third time, and compared at the Table,

Resolved, That the said Bill do pass.

Ordered, That Mr. *Morton* and Mr. *Hunt* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to *Monday*, the Seventeenth Instant, at Four o'Clock in the Afternoon.

March 17, 1760

Seventeen Members met, pursuant to Adjournment, others at a great Distance having been prevented from attending, by Means of a deep Snow, which has rendered Traveling impracticable, and the Members present being acquainted, that Mr. Speaker, through Indisposition, and the late Severity of the Weather, had also been prevented from coming to Town, it was moved that the Clerk do, by Direction of the Members, put the question for adjourning them till To-morrow, at Four o'Clock in the Afternoon. And they were adjourned to that Hour accordingly.

March 18, 1760.

A Quorum of the Members met, pursuant to Adjournment, and Mr. Speaker being still absent,

Ordered, That Mr. *Morton* and Mr. *Dick* wait on the Speaker, and enquire when he expects he will be able to attend the public Business.

It was then moved that the Clerk do, by Direction of the Members put the Question for adjourning them to Ten o'Clock To-morrow Morning; and they were adjourned to Ten o'Clock To-morrow Morning accordingly.

March 19, 1760.

The Members present Yesterday, met, pursuant to Adjournment, and being acquainted by the Gentlemen appointed to wait on the Speaker, that he was still indisposed, and not likely to be able to attend the Service of the House for some Time,

Ordered, That Mr. *Hughes* and Mr. *Fox* wait on the Governor, and acquaint him, that a Quorum of the Members are met, but the Speaker being prevented by Indisposition from attending them, they are inclined, if his Honour should think no Inconvenience can arise to the Public from it, to adjourn to *Monday*, the Thirty-first of this Instant.

The Members return, and report, they had waited on the Governor, and delivered their Message according to Order; to which his Honour was pleased to say, he would not chuse to incur any Censure from a Delay of public Business, by agreeing to so long an Adjournment, but that he would chearfully concur with the Members, if they thought proper, to adjourn themselves till *Monday* next, the Twenty-fourth of this Instant.

The Clerk then, by Direction of the Members, put the Question for adjournment to *Monday* next, and they were adjourned accordingly to *Monday*, the Twenty-fourth Instant, at Four o'Clock in the Afternoon.

March 24, 1760.

Mr. Speaker, and a Quorum of the Members, met, pursuant to Adjournment.

The Gentlemen appointed to wait on the Governor with the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Ordered, That Mr. *Baynton* and Mr. *Ash* wait on the Governor, and acquaint him, that the House being met, are ready to receive any Business his Honour may be pleased to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 25, 1760.

A Petition from sundry Inhabitants of the Townships of the *Northern Liberties*, *Germantown*, *Rowbury*, in the County of *Philadelphia*, was presented to the House and read, praying an

Amendment to the Act of General Assembly for regulating and repairing Highways.

A Petition from *Benjamin Davis*, of the City of *Philadelphia*, was presented to the House and read, praying to be appointed the Officer for executing the Law now under their Consideration, for regulating Chimney-Sweepers in the said City.

A Petition from the Biscuit-Bakers of the City of *Philadelphia* was presented to the House and read, setting forth, that they are informed a Bill hath lately passed the House, whereby they are limited to making of two Sorts of Water Bread, *viz.* White and Ship Bread, and that all Bread which the Officer, upon Inspection, shall judge too coarse, or not properly manufactured, to come under one of those Denominations, shall be condemned; that the Bakers are prohibited from exporting, or selling the same for Exportation, which they conceive will be very oppressive and ruinous to many Families, as such condemned Bread must perish on the Hands of the Bakers, there being no Demand or Consumption for it in the City; and praying such Relief in the Premises as the House may think their Circumstances require.

A Petition from divers Inhabitants of the County of *Berks*, settled on and near *Tulpchocken Creek*, was presented to the House and read, praying that no Person be permitted to build Dams across the said Creek, as the Navigation thereof hath been, by such Means. obstructed, to the great Inconvenience of the Petitioners.

Two Petitions from the Minister, Wardens, Vestry and Members of the Established Church of *England*, belonging to the Churches of *Oxford* and *Whitemarsh*, in the County of *Philadelphia*, were presented to the House and read, praying Leave to bring in a Bill for impowering the Reverend Mr. *Hugh Neil*, *Isaac Ashton*, Esq; Doctor *Samuel Swift*, and Mr. *Jacob Leech*, or any two of them, as Trustees for the Congregation, to sell and dispose of the Glebe, belonging to *Oxford* Church, and apply the Money arising from the Sale thereof, together with certain Legacies, and charitable Donations, towards purchasing a Plantation, conveniently situated to the said Churches of *Oxford* and *Whitemarsh*, for the Use of the present Missionary and his Successors.

Referred to further Consideration.

Mr. *M'Connaughy* this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

The Governor, by Mr. Secretary, sent down the Bill for

granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with some Amendments thereon; whereupon the Question was put, Whether the House will admit of any Amendments upon Money Bills? And the same was unanimously resolved in the Negative.

Then the House adjourned to Four o'Clock in the Afternoon.

The Committee appointed to prepare and bring in a Bill to ascertain and fix the Quotas and Proportions of the several Sums of Money to be paid by each respective County, City and Borough within this Province, for sinking the Bills of Credit heretofore given and granted to his Majesty's Use, reported they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 26, 1760.

The Petitions from the Minister, Wardens and Vestry of *Oxford Church*, and the Wardens, Vestry and Congregation of the Church of *Whitemarsh*, being again read,

Ordered, That the Petitioners have Leave to bring in a Bill for the Purposes expressed in their respective Petitions.

Four Petitions from a considerable Number of Inhabitants in different Parts of the Province were presented to the House and read, setting forth, that very great Advantages must arise, not only to the Petitioners, but to the Province in general, in Case the River *Schuylkill* can be rendered navigable, by the Removal of certain Rocks, and other Obstructions, in the said River, which they apprehend may be effected at a moderate Expence, and have therefore set on Foot a private Subscription among the Inhabitants, whereby a large Sum of Money is already obtained for that Purpose, and praying, that the House will be pleased to nominate proper Persons to view the said Rocks, and other Obstacles to the Navigation of said River, and to estimate the Expence of removing the same, also to receive and collect the Subscriptions of such Persons as may incline to promote this useful Undertaking, in order that the same may be laid before the House for their Inspection and Consideration.

Ordered, That the said Petitions, with the Subscriptions accompanying them, lie on the Table for the Perusal of the Members.

The Committee appointed to prepare and bring in a Bill for the more effectual preventing Accidents which may happen by

Fire in the City and Suburbs of *Philadelphia*, and Borough of *Lancaster*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill to ascertain and fix the Quotas and Proportions of the several Sums of Money to be paid by each respective County, City and Borough within this Province, &c. and after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

March 27, 1760.

A Petition from *James Stevenson*, of the City of *Philadelphia*, Merchant, was presented to the House and read, praying to be appointed one of the Officers for executing the Law now under their Consideration for regulating Chimney-Sweepers in the City of *Philadelphia*, and Borough of *Lancaster*.

The House again took up the Bill to ascertain and fix the Quotas and Proportions of the several Sums of Money to be paid by each respective County, City and Borough within this Province, &c. and, after a considerable Debate thereon,

Ordered, That immediate Notice be transmitted to the Commissioners of the several Counties to send in, with all convenient Dispatch, the Returns of their respective Assessments for the present Year, in order that the same may be laid before this House, as directed by Law.

Then the House adjourned to Three o'Clock, *P. M.*

The House resuming the Consideration of the several Petitions presented to them for clearing the River *Schuylkill* of Rocks and other Obstructions to the Navigation thereof, from the *Blue Ridge* of Mountains above the Town of *Reading* to the City of *Philadelphia*, and having spent some Time therein,

Resolved, That *Mr. Hughes*, *Mr. Potts*, *Mr. Pawling*, *Mr. Bird*, *Mr. Waln*, *Mr. Roberts*, *Miller*, and *Mr. Davis* of *Merion*, be, and they are hereby nominated and appointed to view the said River in the Part above mentioned, and to estimate the Expence of clearing the same of Rocks, &c. in such Manner as to render it navigable to flat-bottomed Boats, and other small Craft.

The House resumed the Consideration of the Bill to ascertain and fix the Quotas and Proportions of the several Sums of Money to be paid by each respective County, City and Borough within this Province, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 28, 1760.

The Owners of *Point-no-Point* Meadows having obtained Leave to bring in a Bill for the further Security and better Regulation thereof, a Draught for that Purpose was presented at the Table, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Bill to enable the Owners of *Greenwich-Island* to embank and drain the same, &c. which being in Part read the second time,

Ordered, That such of the said Owners as have petitioned for Leave to lay before the House their Objections to the said Bill, have Notice to attend this Afternoon for that Purpose.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for embanking *Greenwich-Island*, and the dissatisfied Owners having sent in their Objections in Writing, the same were read, and after some Debate thereon,

Ordered, That Mr. Fox, Mr. Galloway, Mr. Lecch and Mr. Masters be a Committee to consider and compare the said Bill with the Objections thereto, and after hearing the Arguments on both Sides, to alter and amend the same in such Manner as shall appear to them most consistent with Justice, and the Security of the Owners in general, in order that the said Bill may again be laid before the House, for their further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 29, 1760.

Upon Motion,

The Petition from a Number of Freeholders in the County of *Berks*, praying Restraints may be laid on the Inhabitants going in large Companies far into the *Indian* Country to hunt Deer, and other Game, was read the second time, and, after some Debate thereon,

Ordered, That Mr. Lecch, Mr. Watson, Mr. Ashbridge, Mr. Carpenter, Mr. M'Connaughy, Mr. Potts and Mr. Beeting be a Committee to prepare and bring in a Bill for remedying the Mischiefs apprehended by the said Petitioners from such injurious Practice.

The Governor, by Mr. Secretary, acquainted the House that *Teedyuscung*, Chief of the *Delawares*, having desired a Conference with him, wherein he should speak on Matters of

great Importance to the Interest of his Majesty's *American* Subjects in general, and to the Inhabitants of this Province in particular, his Honour requests the Attendance of Mr. Speaker and the House at the said Conference.

Resolved, That the House will attend his Honour at the said Conference, upon Notice for that Purpose.

Mr. Secretary acquainting the House, that his Honour and the *Indians* were met in the Council Chamber, the Speaker, and Members of Assembly, attended the said Conference, and being returned, adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 31, 1760.

The House met, pursuant to Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

April 1, 1760.

A Petition from a Number of Inhabitants, over and about the *Blue Mountains* (who were formerly driven by the *Indians* from their Settlements, and are again returned to them) was presented to the House and read, praying that large Companies of Hunters from the neighboring Counties may be prohibited from going into those Parts, as they have frequently done of late, to kill Deer and other Game, lest the *Indians* should take Offence, and the Petitioners be again exposed to their Resentment.—

Ordered to lie on the Table.

The House then resumed the Consideration of the Supply Bill, returned by the Governor the Twenty-fifth ult. with Amendments, and after some Debate thereon, the Question was put, Whether a Committee shall be appointed to bring in a new Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, in which the Quotas and Proportions of the several Counties, Cities and Boroughs of this Province, towards sinking the said Sum, shall be ascertained and fixed?—*Resolved in the Negative, by a great Majority.*

Ordered, That Mr. *Trimble* and Mr. *Wayne* do wait on the Governor with the old Bill, and desire he would be pleased to give his Assent to the same, as it now stands.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Supply Bill, reported, they had delivered the same according to Order, and that his Honour was pleased to say, he would take the same into his further Consideration, and give it all the Dispatch in his Power.

The Governor, by Mr. Secretary, sent down to the House a

Copy of *Christian Frederick Post's* Letter, containing an Account of his Delivery of the Governor's Proclamation and Messages to *Teedyuscung*; also a Copy of his Honour's Conference with *Teedyuscung*, in the State House on the Twenty-ninth ult. with a Draught of his proposed Answer thereto, and a List of Necessaries required by *Frederick Post* for *Teedyuscung's* intended Journey to *Atsunsing* and the great Council of *Indians* soon to be held on the *Ohio*, which said several Papers were read, and being duly considered,

Ordered. That Mr. *Fox* and Mr. *Leech* wait on the Governor, and acquaint him, the House are obliged to his Honour for the Papers laid before them, that they entirely approve his intended Answer to *Teedyuscung's* Speech, and will recommend to the Provincial Commissioners to furnish the Necessaries required for his Journey.

The House resumed the Consideration of the Bill for regulating the *Point-no-Point* Meadows, which being in Part read the second time, they adjourned to Ten o'Clock To-morrow Morning.

April 2, 1760.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order, and that his Honour was pleased to say, it was very well.

A Petition from divers Freeholders and Inhabitants of the County of *Bucks* was presented to the House and read, setting forth, that great Inconveniencies have arisen to some of the Petitioners from Dams erected across *Neshaminy Creek*, and praying the Aid of a Law to remove the said Dams, and prevent the erecting of others for the future, on or across the said Creek.

The House resumed the Consideration of the Bill for regulating the *Point-no-Point* Meadows, and after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The Governor, By Mr. Secretary, again sent down the Supply Bill, returned to him Yesterday, with a written Message, and some Papers therein referred to, which were severally read, and the Message follows in these Words, *viz.*

G E N T L E M E N,

'THE Amendments which I proposed to the Bill, entitled, *An Act for granting One Hundred Thousand Pounds, &c.* appeared to me so just, and the Reasons, on which they were founded, so obvious, that I flattered myself they could not fail of receiving your Approbation,

'You may well imagine then, that I was not a little surprized at having the Bill returned to me, with a Message, that the House unanimously adhered to it, and had rejected all my Amendments; but as I have no private Interest to favour at the Expence of the Public, or any Thing more in View, than to act uprightly and sincerely with you upon all Occasions, I have thought it not improper to communicate to you, the particular Motives which induced me to offer those Amendments.

'In all Laws, and more especially those by which Taxes are to be imposed upon the People, Precision and Perspicuity are chiefly to be regarded; the Estates intended to be made liable to Taxation, as well as the Mode and Manner of assessing them, should be so clearly ascertained, as not to subject the People to Injustice from the Officers appointed to carry them into Execution, either by their misapprehending the Laws, or putting different Constructions upon them.

'On considering the first enacting Clause of the Bill, the Rules laid down for assessing the real and personal Estates of the Inhabitants, appeared to me to be liable to the above mentioned Objections, and I was induced to propose the first Amendment (which does not otherwise differ from what I conceive to be the Intention of the Bill, than as it is more clear, full and certain) that it might not be defective in so very material a Part of it. And although it may be more immediately your Concern to take Care, that equal Justice be administered to all your Constituents, yet I cannot but look upon it my Duty also, to point out to you any Thing that occurs to me, which may tend to their Advantage.

'Tis the Essence of free Governments, that the Money raised for public Services, should be assessed equally upon all Ranks and Conditions of Men; otherwise the highest Injustice may be committed under the Sanction of Law. And were there no other Reason to support the second Amendment by which Commissioners are specially appointed to hear and determine Appeals that may be brought before them, in Behalf of the Proprietaries, in Cases where they conceive themselves to be aggrieved by the Assessments of the County Assessors, than that such Assessors do not represent the Proprietaries, but the People only who elect them, I should look upon myself to be sufficiently justified, under an *English* Government, in offering and insisting on so just an Amendment; but the Injury that I am informed has been done to the Proprietaries, by the Assessors and Commissioners in their last

Year's Assessment, in the County of *Cumberland*, adds Strength to the Argument, and loudly demands that some new Method be fallen on to guard them against the like Oppression for the future.

'I have lately received a written Representation from the Proprietaries Secretary, and Receiver General, containing the Particulars of this Fact, and have ordered it to be laid before you; on examining which, I am persuaded, you will be convinced the Proprietaries have been very hardly dealt by, being, in some Cases, taxed for a supposed Interest or Property, which may or may not arise to them on future Contingencies; in others, at Random, and upon Conjecture only; and in other Cases, contrary to the Intention of the Law, and where the People are not taxed in the same Circumstances.

'Nothing, Gentlemen, is further from my Thoughts than to desire that the Proprietaries Estate should be exempted from paying a proportionable Part of the Supplies for the current Service; all I contend for is, that they may be put upon an equal Foot with others, and burdened with no more than their just Proportion of Taxes, and in this I cannot doubt but you will concur with me. If therefore the above Amendment is likely, in your Opinion, to answer this good End, I hope, on reconsidering the Matter, you will accede to it: Or, if on the other Hand, you can sufficiently remedy the Evil complained of, by pointing out some better Method, I shall very readily embrace it; but I cannot see how you can reasonably expect that I, who am intrusted with the Care of the Proprietaries Property, can give my Assent to a Bill by which it may be so injuriously treated, and by which so unequal a Burden may be laid upon it.

'I was led to propose the several other short Amendments, Gentlemen, to make the Bill consistent with itself, which at present it seems not to be; for whereas, in a former Clause of the Bill, it is directed, *That the Provincial Commissioners shall dispose of the Money thereby given for his Majesty's Use, with the Consent and Approbation of the Governor*; in a subsequent Clause, which immediately follows, that Consent and Approbation is entirely annihilated and taken away, as the Trustees of the Loan-Office are thereby *required to pay all Orders which the Commissioners (only) shall draw upon them, and all Draughts and Certificates, which have been made by the Assembly upon the Provincial Treasurer, for Services done to the Public, which yet remain unpaid*, without the Governor's Approbation being made at all necessary to the Payment of those Orders and Certificates, or without his being

so much as made acquainted with the Nature of the Services for which Payment is demanded; or whether they are properly chargeable to the Fund thereby granted to his Majesty.

'This Contrariety, Gentlemen, had, I presume, escaped your Notice, and that it could not have been your Intention to deprive your Governor of his constitutional Right of sharing, at least, in the Disposition of all public Money raised for the King's Service.

'Upon the Whole, Gentlemen, I have ordered the Bill to be again laid before you, and desire you will reconsider the Amendments, and the Reasons now offered, with that Care and Attention which their Importance requires, and that you will acquaint me with the Result of your Deliberations as soon as possible.

April 2, 1760.

JAMES HAMILTON."

The Representation referred to in the foregoing Message, from the Secretary and Receiver General, of their Appeal upon an Assessment of the Proprietary Property in the County of *Cumberland*, being also read, the House adjourned to Ten o'Clock To-morrow Morning.

April 3, 1760.

The House met, and adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill for embanking *Greenwich-Island*, &c. which being in Part read the second time, and debated, they adjourned to Three o'Clock To-morrow Afternoon.

April 4, 1760.

Elizabeth Connelly attending in Support of her Petition, agreeable to Notice for that Purpose, was called in, and having been heard, and delivered sundry Papers relative to the Aggrievance therein complained of,

The House adjourned to Nine o'Clock To-morrow Morning.

April 5, 1760.

The Bill to enable the Owners and Possessors of Meadow at *Point-no-Point* to keep the Banks, Dams, Sluices and Flood-gates in Repair, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That *Mr. Hughes* and *Mr. Baynton* wait on the Governor therewith, for his Assent to the same; and also return to his Honour the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. and acquaint him, that the House, having reconsidered the said Bill, find no

Reason to recede from any Part thereof, and request the Governor will be pleased to pass the same as it now stands.

The House then resumed the Consideration of the Bill to enable the Owners of *Greenwich-Island* to embank and drain the same, &c. which being, in Part, read the second time, they adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 7, 1760.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Supply Bill, and the Bill to enable the Owners of Meadows at *Point-no-Point*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, the House should soon be acquainted with his Result thereon.

Then the House adjourned to Nine o'Clock To-morrow Morning.

April 8, 1760.

The House resumed the Consideration of the Bill to enable the Owners of *Greenwich-Island* to embank and drain the same, &c. which being read through the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare and bring in a Bill to prevent the Hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the *Indians* by the Proprietaries of this Province, &c. reported, they had essayed a Draught for that Purpose, which they presented at the Chair, and the same being read the first time, was ordered a second Reading.

The Governor, by Mr. Secretary, returned the Act to enable the Owners of Meadow at *Point-no-Point*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. with a verbal Message, that his Honour is ready to pass the same, whenever presented to him for that Purpose.

Ordered, That the said Bill be immediately engrossed.

The Secretary also delivered the following verbal Message from his Honour, *viz.*

Mr. SPEAKER,

"I am commanded by the Governor to acquaint the House, that he observes in the Supply Bill now before him, a Clause to the following Effect, *viz. That the Trustees of the Loan-Office shall, and they are hereby authorized and empowered, out of the Monies arising by Virtue of this Act, to pay and discharge all such Certificates and Draughts as have been*

heretofore made, by Order of Assembly to the Provincial Treasurer, for Services done the Public, which yet remain unpaid, through a Deficiency of Money in the Provincial Treasurer's Hands, and desires to be informed what the Sum total of those Certificates and Draughts may amount to, and likewise the Services for which they were made and given."

Ordered, That the Clerk do immediately make out a List of the said Certificates and Draughts; which being done accordingly at the Table,

Ordered, That Mr. *Fox* and Mr. *Hughes* wait on the Governor, and deliver the said List.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 9, 1760.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order, with the List of Certificates and Draughts of Assembly on the Provincial Treasurer; and that his Honour was pleased to say, it was very well.

The Bill to enable the Owners of *Greenwich Island* to embark and drain the same, &c. being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Saunders* and Mr. *M'Connaughy* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock in the Afternoon.

The Members appointed to wait on the Governor with the Bill in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take it into immediate Consideration.

The House resumed the Consideration of the Bill to prevent the Hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the *Indians* by the Proprietaries of this Province, &c. which being read the second time, and debated, was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 10, 1760.

The Governor, by Mr. Secretary, sent down the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, &c. with a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

I WAS in Hopes the Reasons offered in my Message of the Second Instant, in Support of the Amendments proposed to

the Bill for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, were so just in themselves, and so clearly and distinctly set forth, that they could not fail to have made the same Impression on your Minds, which they had before done upon mine. And that consequently, as it is a Bill of very great Importance both to the Proprietaries and People, you would, at least, have adopted so many of those Amendments, which I am sure nobody can think unjust or unreasonable, as that I might have given my Assent to it with Pleasure.

'I must own therefore, I was much grieved at receiving back the Bill from the House, with a short Message only, "*That they adhered to it,*" without offering a single Argument, either to establish their own Opinion, or to invalidate mine.

'Can you think it a small Thing, Gentlemen, for one in my Station to give his Assent to a Bill, by which many of the legal and most essential Rights of Government are wrested from him, and transferred to Commissioners of your own Nomination and Appointment? By which his constitutional Right of approving, at least, of the Disposition of all public Monies is taken away, and not even the smallest Check or Controul allowed him upon the Misconduct of others, or Misuse of the Powers entrusted to them: And lastly, by which his Constituents, the Proprietaries of this Province, are deprived of that common and most valuable Privilege of *Englishmen*, of being taxed by their own Representatives. And yet all these Hardships are imposed upon me, and repeatedly adhered to by you, in the Bill now sent up again for my Concurrence.

'Whereupon I cannot forbear remarking to you, Gentlemen, that this Kind of Proceeding can neither carry a good Appearance with respect to Government in general, nor be attended with any real Advantage to the People you represent.

'I am sensible, Gentlemen, that there is an absolute Necessity for passing a Supply Bill at this Time; not only for enabling us to give the best Assistance in our Power towards effecting the great Things his Majesty has in View for the Benefit of these Colonies, but for the particular Security of our own Frontiers at this critical Juncture, when it is uncertain how soon, and how nearly, we may be affected by the Hostilities renewed by the *Cherokees*, with greater Fury than ever, upon the Southern Provinces, and also for discharging the large Arrears of Pay due to our Provincial Troops.

'All these Considerations have had great Weight with me, and have caused me to reflect with Pain on the dangerous Consequences naturally to be apprehended from an Adherence to my Opinion, equal to that which you have shewn to yours. And since I see you are determined against any such Altera-

tions in your Bill, as may make it consistent with my Notions of Right, I must be content, upon the present Occasion (rather than his Majesty should be deprived of the Aids thereby granted to him) to yield to the Necessity of the Times, and give my Assent to a Bill, by which not only the Estates of the Honourable Proprietaries may be greatly injured, but the just and legal Powers of Government certainly will be very much prejudiced and wounded.

'I am therefore to declare to you, Gentlemen, that, moved by the above-mentioned Considerations alone, I am ready to pass the Supply Bill, whenever you shall present it for that Purpose. I am also to desire that this may be done as soon as possible, the Season being already far wasted, and the General impatient to know the Issue of our Proceedings, that he may take his Measures accordingly.

April 10, 1760.

JAMES HAMILTON."

Ordered, That Mr. *Leech*, Mr. *Hughes*, Mr. *Masters*, Mr. *Ingham*, Mr. *Morton*, Mr. *Webb*, Mr. *Potts* and Mr. *Beeting* be a Committee to consider the foregoing Message, with that of the Second Instant, from his Honour, and report their sentiments thereon, at the next Meeting of the House.

The Bill to prevent the Hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the *Indians* by the Proprietaries of this Province, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wayne* and Mr. *Carpenter* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill to prevent the Hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the *Indians* by the Proprietaries of this Province, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Bill to enable the Owners and Possessors of Meadow at *Point-no-Point* to keep the Banks, Dams, Sluices and Flood-gates in Repair, &c. being engrossed according to Order, was again read, and compared at the Table.

The Bill for extending several Sections of an Act of Parliament, for punishing Mutiny and Desertion, &c. being brought

into the House, was read the first time, and ordered a second Reading.

The Bill for regulating the Officers and Soldiers in the Pay of this Province, being also brought into the House, and read the first time,

Ordered, That Mr. *Masters* and Mr. *Hunt* wait on the Governor, and request he would be pleased to furnish the House with the last Act of Parliament for punishing Mutiny and Desertion.

The Members return, and report, they had delivered their Message according to Order; and that his Honour was pleased to say, he could not be certain whether he had the said Act of Parliament, but he would endeavour to procure it for the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 11, 1760.

The House resumed the Consideration of the Bill for regulating the Officers and Soldiers in the Pay of this Province, which being read the second time, was ordered to be transcribed for a third Reading.

The House then took up the Bill read Yesterday, for extending several Sections of an Act of Parliament, passed in the Thirty-second Year of the present Reign, entituled, "*An Act for punishing Mutiny and Desertion*," &c. and observing that the Act passed by the last Assembly for that Purpose will continue to the End of the next Sitting of this House, the further Consideration of the said Bill was deferred to the next Meeting of Assembly.

The House then adjourned for Half an Hour.

The House met again, and the Governor, by Mr. Secretary, sent down the Bill to prevent the Hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the *Indians* by the Proprietaries of this Province, &c. with some Amendments thereon, which being read, and considered, were agreed to by the House.

Ordered, That the said Bill be engrossed accordingly.

The Bill for regulating Officers and Soldiers in the Pay of this Province, being transcribed according to Order, was read the third time, and compared at the Table.

Ordered, That Mr. *Trimble* and Mr. *Morton* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Four o'Clock in the Afternoon.

The Members appointed to wait on the Governor with the Bill for regulating the Officers and Soldiers in the Pay of this

Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Leave having been obtained to bring in a Bill for empowering the Reverend Mr. *Hugh Neil*, and others, to dispose of the Glebe-Land belonging to *Oxford Church*, a Draught for that Purpose was presented to the Chair, and read the first time.

The Governor, by Mr. Secretary, sent down the Bill for regulating the Officers and Soldiers in the Pay of this Province, and acquainted the House, he was ready to pass the same, when presented to him for that Purpose. The Secretary also delivered a Letter from his Excellency *Thomas Pownall*, Esq; Governor of the *Massachusetts*, with the following verbal Message, *viz.*

SIR,

"I am ordered by the Governor to lay before the House this Letter, which he lately received from the Governor of *Boston*, and to acquaint them, that, as the Case therein set forth, is really a calamitous one, and entitles the Sufferers both to the Compassion and Relief of their Fellow-Subjects, he recommends them to the Consideration and Benevolence of the House, as Objects rather fit to be relieved by a public Donation than private Subscription."

The said Letter from the Governor of *Boston* being then read, and considered,

Ordered, That Mr. *Fox*, Mr. *Galloway* and Mr. *Hughes* wait on his Honour, and confer with him upon the Sum he will agree to allow for the Relief of the Inhabitants of *Boston*, out of the *One Hundred Thousand Pounds* lately granted to the King's Use, the Government having no other Fund from which they can be assisted; and acquaint the Governor, that the several Bills, to which he hath given his Assent, will be engrossed, and ready to be passed by Twelve o'Clock To-morrow, if he will be pleased to appoint some Members of Council to assist in comparing the same with their Originals.

The Members appointed to wait on the Governor with the foregoing Message, return, and report, they had delivered the same according to Order; and that his Honour was pleased to say, he thought *Fifteen Hundred*, or *Two Thousand Pounds*, would be a generous Donation to the Inhabitants of *Boston* from this Province, under its present Circumstances, and should agree that the same be paid out of the Money lately given to the Crown; also that he would direct some Members

of Council to attend the House at Ten o'Clock To-morrow Morning, in order to compare the several engrossed Bills to be passed into Laws.

Ordered, That the two Bills last sent down, by the Governor be immediately engrossed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 12, 1760.

The several Bills, to which the Governor had given his Assent being engrossed, according to Order, and brought into the House,

Ordered, That Mr. *Pearne* and Mr. *Masters* join with the Members of Council, to collate the same with their Originals.

The Members appointed to compare the said engrossed Bills with their Originals, reported, they had done the same, and found them to agree.

Ordered, That Mr. *Fox* and Mr. *Masters* do see the Great Seal affixed to the said Bills, after they shall be enacted into Laws, and the same deposited in the Rolls Office.

The House then resuming the Consideration of the Governor of *Boston's* Application to this Province, for Relief of the late Sufferers by Fire in that City, together with his Honour's Consent to assist them out of the Supply lately granted to the Crown;

Resolved, That it is the Opinion of this House, that the Sum of *Fifteen Hundred Pounds* be allowed as a free Gift from this Province to the said Sufferers in the Town of *Boston*.

And a Certificate for the said Sum was accordingly drawn at the Table, and signed by the Speaker.

A Message by Mr. Secretary :

S I R,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the Council Chamber, in order to enact into Laws the several Bills prepared and agreed upon by the Legislature."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, they had waited on the Governor with the five following Bills, *viz.* "*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit,*

by a Tax on all Estates real and personal, and Taxables within this Province." "An Act to enable the Owners and Possessors of Meadow at Point-no-Point, in the Precinct of Richmond, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Flood-gates in Repair, and to raise a Fund to defray the Expence thereof." "An Act to enable the Owners of Greenwich Island to embank and drain the same, to keep the Banks and Dams in good Repair for ever, and to raise a Fund to defray sundry contingent and yearly Expences accruing thereon." "An Act to prevent the Hunting of Deer, and other wild Beasts, beyond the Limits of the Lands purchased of the Indians by the Proprietaries of this Province, and against Killing Deer out of Season." And, "An Act for regulating the Officers and Soldiers in the Pay of this Province." To all which several Bills the Governor had been pleased to give his Assent, by enacting the same into Laws.

Upon Motion,

The House resumed the Consideration of the Petition of Doctor *William Smith*, and, after some Debate thereon, referred the same to their next Meeting.

Ordered, That Mr. *Morton* and Mr. *Webb* wait on the Governor, and acquaint him, that the House having gone through the principal Business that lay before them, incline to adjourn to *Monday*, the Eighth Day of *September* next, if his Honour hath no Objection thereto.

The Members return, and report, they had delivered their Message according to Order; and that his Honour was pleased to say, he had no Objection to the Time of Adjournment proposed by the House.

Upon Motion,

Ordered, That Mr. *Leech*, Mr. *Hughes*, Mr. *Masters*, Mr. *Strickland*, Mr. *Ashbridge*, Mr. *Saunders* and Mr. *Beeting* be a Committee to prepare and bring in a Bill at the next Meeting of the House for regulating the Exportation of Bread from this Province.

The House resuming the Consideration of the Quota Bill lately prepared, and ordered to be transcribed, with Blanks for the Sums to be yearly paid by each County respectively, towards sinking the several Grants of Money from this Province to the Crown, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Hughes*, Mr. *Melvin*, Mr. *Morton*, Mr. *Webb*, Mr. *M'Connaughy*, Mr. *Smith*, Mr. *Potts* and Mr. *Beeting*, with such other Members as may think proper to attend, be a Committee to meet at this House, on the Nine-

teenth of next Month, to examine and consider the Returns of Assessments from the several Counties, and to make an Essay towards ascertaining, in the most equitable Manner, the Sum to be raised annually by each for the Purpose above mentioned; and the said Committee hath Power to send for such Papers and Persons as they may think necessary for the better Performance of this Service.

Then the House adjourned to *Monday*, the Eighth of *September* next, at Four o'Clock in the Afternoon.

September 8, 1760.

MR. Speaker, with Twenty of the Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Three o'Clock To-morrow Afternoon.

September 9, 1760.

Mr. Speaker, with Twenty-two Members, met, pursuant to Adjournment, but a Quorum being still wanting,

Ordered, That a Messenger be immediately dispatched to such of the absent Members as are nearest Town, to require their Attendance To-morrow.

The Members present adjourned to Ten o'Clock To-morrow Morning.

September 10, 1760.

The House met.

Ordered, That Mr. *Baynton* and Mr. *Gibbons* wait on the Governor, and acquaint him, that the House, by the Death of some, and Sickness of others, of their Members, have been prevented from making up a Quorum till this Morning, but that they are now ready to proceed on any Business his Honour may be pleased to lay before them.

The Members appointed to wait on the Governor, return, and report, they had delivered their Message according to Order; and that his Honour was pleased to say, he should have some Business to lay before the House in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a Letter from General *Monckton*, dated at *Fort Pitt*, the Twenty-first *ult.* with a written Message to the House, which were read, and are as they respectively follow, *viz.*

GENTLEMEN,

'I HAVE lately received from General *Monckton*, a Letter, dated at *Fort Pitt*, the Twenty-first of *August* last, in which he acquaints me, that as the Posts to the Westward are considerably encreased, and the Number of regular Troops there greatly lessened, it will be absolutely necessary, for the Sup-

port of his Majesty's Rights on Lake *Erie*, and the River *Ohio*, that a Body of Four Hundred Provincials should be kept up for Winter Garrisons at those Posts, and at the Forts *Augusta* and *Allen*.—And to that End he hath requested me to use my best Endeavours to induce you to consent, that out of the Troops now in the Pay of this Province the afore-said Number of Men, with Officers in Proportion, may be immediately re-enlisted for that Service, as will appear by his Letter herewith laid before you.

'I am persuaded, Gentlemen, you want no Information with respect to the Importance of our possessing those advantageous Posts, as well for maintaining his Majesty's Right to the Country he hath, at so great an Expence, recovered, as for protecting our Inhabitants from any further Violence of our Enemies, whether *Christians* or *Savages*, in that Quarter.

'And as it is scarce to be expected that General *Amherst* (whatever be the Issue of the great Work he is engaged in) will be able to spare, for the above Purpose, any of the Regulars now with him, I am in Hopes that, upon weighing the Contents of Mr. *Monckton's* Requisition, you will be of Opinion, that a Compliance with it is not only reasonable, but even necessary at this Juncture, and that you will enable me to act in Conformity to it.

September 9, 1760.

JAMES HAMILTON."

GENERAL *MONCKTON'S* Letter to the GOVERNOR.

SIR,

Fort Pitt, August 21 1760.

AS it cannot be expected that General *Amherst* will be able to spare any of the regular Troops now with him, for the Winter Garrisons of the Posts in this Department, which are now considerably encreased, and the Number of regular Troops here greatly lessened, I think it my Duty, Sir, to give you the earliest Notice that it will be absolutely necessary, for the Support of his Majesty's Rights on Lake *Erie*, and the River *Ohio*, that a Body of the *Pennsylvania* Troops, consisting of Four Hundred Men, with Officers, and Non-commissioned Officers, in Proportion, should be immediately re-enlisted for this Service, the Garrisons of *Augusta* and *Allen* included.

This, Sir, is so essential a Service, that I cannot, in the least, doubt but you will use your utmost Endeavours with

your Assembly to induce them to comply with this so necessary a Requisition. I have the Honour to be,

SIR, Your most obedient and humble Servant,

ROBERT MONCKTON."

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 11, 1760.

The House resuming the Consideration of the Governor's Message of Yesterday, with General *Monckton's* Letter, laid before them, after some Time spent therein,

Ordered, That Mr. *Galloway*, Mr. *Leech*, and Mr. *Hunt* be a Committee to consider the same, and prepare an Answer thereto against To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 12, 1760.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Ninth Current, reported, they had essayed a Draught for that Purpose, which they presented at the Table, and the same being read, and agreed to by the House, was transcribed, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WE have taken into our Consideration your Message relating to General *Monckton's* Requisition of Four Hundred Men for Winter Garrisons to the Westward, and as it will take up more Time than can possibly be spared at this Juncture, when the Assembly in a few Days must be dissolved of Course by the Charter, to determine how far it will be reasonable in us to impose on our Constituents the Burden of garrisoning these Fortifications, when they labour under the Weight of very heavy Taxes already, we beg Leave to refer your Honour to the next Assembly, who if, on more mature Deliberation, they shall see the Expediency of the Measure proposed, may, in due Time, without any Inconvenience or Danger to his Majesty's Rights in that Quarter, enable your Honour to act in Conformity to the General's Requisition.

Signed by Order of the House,

September 12, 1760.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Ingham* and Mr. *Wayne* wait on the Governor with the foregoing Message, and deliver the same.

The Petition of *Joseph M'Mackan*, of *Lancaster County*,

was presented to the House and read, setting forth, that having totally lost his Sight for some Years, and been driven, with a Wife, and several small Children, from his Settlement at the Foot of the North Mountain by the *Indians*, he is reduced, with his large Family, to the utmost Distress for Subsistence, and praying that as the Peace lately concluded with the *Indians*, has made it safe for the Inhabitants to return to their deserted Plantations, the House would commiserate his helpless Condition, and afford such Assistance as may enable him, when returned Home, to procure Horses and Ploughs to work his Land for the Support of his Family.

The House taking into Consideration the necessitous Circumstances of the said Petitioner, and being of Opinion, from his Appearance, and the Certificates annexed to his Petition, that he is truly an Object of Charity, resolved that he be recommended to the Provincial Commissioners for such Relief from the public Money as they may judge suitable.

Then the House adjourned to Four o'Clock. *P. M.*

The Members appointed to wait on the Governor with the Answer of the House to his Message of the Ninth Instant, reported, they had delivered the same according to Order.

A Petition from the Public House-keepers in the Borough of *Lancaster* was presented to the House and read, setting forth, that on the Twenty-eighth Day of *January* last they had public Notice, by Order of the Board of Provincial Commissioners, to bring in their respective Accounts and Billets, on or before the Twentieth Day of *February* following, in order to ascertain the Amount of their Demands, which they (the Petitioners) punctually complied with, but notwithstanding, do not yet see any Prospect of receiving Payment for the same; wherefore they pray the House would be pleased to take their Case into Consideration, and provide for the speedy Discharge of the said Debts.—*Referred to further Consideration.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 13, 1760.

The House taking into Consideration a late Account received from their Agent in *London*, that the Parliament of *Great-Britain* hath been pleased, upon his Majesty's Recommendation to grant a further Bounty of *Two Hundred Thousand Pounds* Sterling, to be divided amongst the Colonies in *America*, and that it will be necessary to appoint some Person or Persons at Home to receive such Proportion of the said Sum as shall be allotted to the Province of *Pennsylvania*.

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Strickland*, Mr. *Hunt*, Mr. *Webb*, Mr. *Allen*, Mr. *Potts* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for the Purpose aforesaid.

Ordered, That Mr. *Galloway*, Mr. *Masters* and Mr. *Strickland* be a Committee to prepare and bring in a Bill for vesting the State-house, and other public Buildings, with the Lots whereon the same are erected, in Trustees for the Use of the Public.

Ordered, That Mr. *Roberdeau*, Mr. *Pearne*, Mr. *Watson*, Mr. *Morton*, Mr. *Carpenter*, Mr. *Webb* and Mr. *Saunders* be a Committee to examine and settle the Accounts of the Provincial Commissioners for the Disposition of the Sum of *One Hundred Thousand Pounds*, granted to his Majesty's Use, for the Year One Thousand Seven Hundred and Fifty-nine, and report thereon to the House at their next Meeting.

Then the House adjourned to *Monday*, the Twenty-second Instant, at Four o'Clock in the Afternoon.

September 22, 1760.

The House met, pursuant to their Adjournment.

The Committee appointed to prepare and bring in a Bill for appointing Agents to apply for and receive the distributive Shares and Proportions of the Monies which have been or may be granted by Parliament to his Majesty's Colonies in *America*, which are or shall be assigned to this Province, reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 23, 1760.

The Commissioners appointed, at the last Sitting of Assembly, to survey the River *Schuylkill*, presented at the Table a Draught of the said River, with their Report in Writing, which was read, and is as follows, *viz.*

To the HONOURABLE the REPRESENTATIVES of the People of the Province of *Pennsylvania*, in General Assembly met,

The Report of the Persons appointed to view the River Schuylkill, from the Blue Ridge of Mountains above the Town of Reading, to the City of Philadelphia, and to estimate the Expence of clearing the same from Rocks, and other Obstructions, so as to render it navigable.

IN Pursuance of the Appointment aforesaid, we have carefully viewed the said River, from the Town of *Reading*, in

Berks County, down to the Lower Falls by *Palmer's* Saw-mill, and are of Opinion, that if the Fishing-dams and loose Stones that now lie in the shallow Parts of the River, were carefully and skilfully removed, so as to throw the Water into the Part cleared for Navigation, this long River may be rendered navigable for flat-bottomed Boats, and other Craft properly constructed, of a considerable Burden; and that the Removal of the Rocks at the Falls near the Town of *Reading*, and below *Morris's* Mill, may be effected at an Expende somewhat less than *Three Thousand Pounds*, so as to render the Passage navigable through them the greatest Part of the Year for Rafts of Timber, Boards, Scantling, and the before-mentioned Boats, even to the Burden of Four Thousand Weight.

We therefore beg Leave further to report, that was this River thus rendered navigable, the Advantage derived from thence to the Public, would greatly exceed any Expende which can possibly attend it.—*Submitted to the House, by*

DAVID DAVIS,	HENRY PAWLING,
JOHN ROBERTS,	JOSEPH WALN,
JOHN HUGHES,	JOSEPH MILLARD,
JOHN POTTS,	WILLIAM BIRD."

The Committee appointed to prepare and bring in a Bill for vesting the State-house, and other public Buildings, with the Lots of Ground whereon the same are erected, &c. in Trustees, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

A Petition from a great Number of Inhabitants of the County of *Bucks* was presented to the House and read, setting forth, that sundry evil disposed Persons have, from Time to Time, for many Years past, built and erected a large Number of Dams, Weirs, Baskets and other Devices, for catching Fish in the River *Delaware*, whereby the smaller Fish, unfit for Use, have been in great Quantities killed and destroyed, and the Navigation of the same considerably obstructed, to the great Injury of the Petitioners, as well as many other Inhabitants of the Province, and praying such Relief in the Premises as the House may think necessary and reasonable.—*Referred to the Consideration of the next succeeding Assembly.*

Upon Motion,

The House resuming the Consideration of the Report of the Trustees of the General Loan-Office upon *Moses Dickey's* Loss of a large Sum of *Pennsylvania* Currency by Fire, with the several Affidavits and other Papers laid before them in Sup-

port thereof, after a considerable Debate, it was resolved, upon the Question,

That *One Hundred and Twenty-five Pounds* (the Sum proved by the Deposition of *Edward Croston* to have been paid by him to the said *Moses Dickey*, in new Bills of this Province) be allowed to the said *Moses Dickey*, in Consideration of his said Loss, and that the Trustees of the Loan-Office do pay the same accordingly out of the Provincial Tax Money, and charge it in their next Settlement with the Assembly, as so much sunk and destroyed in Bills of Credit of this Province.

Then the House adjourned to Four o'Clock, *P. M.*

An Address from the Commissioners and Assessors of the County of *Cumberland* was presented to the House and read, containing a Vindication of themselves against the Charges of Partiality and Injustice in their Mode of taxing the Proprietary Estate in the said County, as set forth in the Secretary's and Receiver General's Representation to the Governor, of their Appeal against the said Taxation.

The House resumed the Consideration of the Bill for appointing Agents to apply for and receive the distributive Share and Proportion of the Monies which have been, or may be granted by Parliament to his Majesty's Colonies in *America*, which are or shall be assigned to this Province; which, having been read the second time, was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 24, 1760.

The Bill for appointing Agents to apply for and receive the distributive Shares and Proportions of the Monies which have been, or may be, granted to his Majesty's Colonies in *America*, which are or shall be assigned to this Province, being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Watson* and Mr. *Gibbons* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill passed in the Forenoon, reported they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into his immediate Consideration, and give it all the Dispatch in his Power.

An Address from *Lewis Weiss* and *Peter Miller* was delivered at the Table, and read, begging Leave to present the House with a Copy of the second Volume of the Laws of this Province, collected and revised by them, and printed at their

own Expence; and setting forth, that they intend likewise to print and finish, within the Space of Six Months, the first Volume of the same Laws, together with a Collection of all the Charters and Laws out of Force concerning Titles of Land; and praying the House would take some Notice of their Endeavours to serve the Public, so that they may not lose their Expence, and the Fruit of all the Labour they have been at on the Occasion.

The House, upon Consideration of the foregoing Address, and the Usefulness of the Design therein proposed to be executed, do recommend the same to the Notice and Encouragement of the succeeding Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 25, 1760.

The Committee appointed, at the last Sitting of the House, to make an Essay towards ascertaining the proportional Sums to be annually paid by each County, for sinking the several late Grants from this Province to his Majesty, reported they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read, is as follows, viz.

Counties.	Acres of Land.	Number of Taxables.	Rate of each Taxable.	Amount.
<i>Philadelphia,</i> —	315805	5687	£1 3 0	£6,540 1 0
<i>Philadelphia City,</i>		2634	2 5 0	5,926 10 0
<i>Chester,</i> — — —	399674	4761	1 2 0	5,237 2 0
<i>Bucks,</i> — — — —	287868	3148	1 1 0	3,305 8 0
<i>Lancaster,</i> — —	436346	5635	1 2 0	6,198 10 0
<i>York,</i> — — — —	256561	3302	0 16 0	2,641 12 0
<i>Berks,</i> — — — —	208925	3016	0 16 0	2,412 16 0
<i>Cumberland,</i> —	179185	1501	0 16 0	1,200 16 0
<i>Northampton,</i> —	189173	1989	0 14 0	1,392 6 0
Total Amount,				£34,855 9 0

Then the House adjourned to Four o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down to the House the Bill for appointing Agents to apply for and receive the distributive Shares and Proportions, &c. with a Paper of Amendments thereon, which being read,

The House adjourned to Ten o'Clock To-morrow Morning.

September 26, 1760.

A Petition from *John Hughes, Esq*; a Member of Assembly,

was presented to the House and read, setting forth, that in Pursuance of the Act, entitled, "*An Act for recording Warrants and Surveys, &c.*" he hath since the Month of *July*, One Thousand Seven Hundred and Fifty-nine, expended large Sums of Money in paying a Number of Clerks, by him employed, in transcribing the Books and Papers in the Proprietaries Secretary's and Surveyor General's Offices, and other Duties enjoined him by the aforesaid Act; that having laid an Account of his said Disbursements before the Provincial Commissioners, appointed by the last Act for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, he was referred by them to his Honour the Governor, for his Approbation of the Payment thereof, but that the Governor, though he expressed a Willingness to oblige the Petitioner, was of Opinion, that the aforesaid Sum having been granted to his Majesty's Use, did not allow the Payment of his said Account, which, by the Terms of the said Grant, was to be discharged out of "such public Money as should afterwards be raised by Act of General Assembly for Support of Government;" that the Petitioner, however, understanding that several Sums of Monies for Payment of Debts due from the Province, as well as the Sum lately voted to the Governor himself, have been paid by the Provincial Commissioners, out of the aforesaid Grant, though under like Circumstances with the Petitioner's Demand, excepting only, that he had not obtained a Certificate of Assembly for the same, submits his Case to the Consideration of the House, praying such Relief therein as they may think due to him.

Ordered, That Mr. Fox and Mr. Pearne wait on the Governor, acquaint him with the Application of the said Petitioner, and enquire whether his Honour will be pleased to give his Assent to the Payment of the said Debt by the Provincial Commissioners.

The Committee appointed to examine the Accounts of the Board of Commissioners, for the Disposition of the Sum of *One Hundred Thousand Pounds* granted last Year to the King's Use, presented their Report thereon, in Writing, at the Table, which was read, and is as follows, *viz.*

WE the Committee nominated to audit and examine the Accounts of the Provincial Commissioners, appointed to dispose of the Sum of *One Hundred Thousand Pounds*, granted to the King's Use for the Service of the Year 1759, by the Act, entitled, "*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for provid-*

ing a Fund for sinking the said Bills of Credit by a Tax on all Estates real and personal, and Taxables within this Province," report, that we have carefully examined all the said Commissioners Accounts, relative to the Disposition of the said Grant, and do find, as well from Orders drawn on the Trustees of the General Loan-Office, as from Receipts and other sufficient Vouchers produced to us, that the whole Sum of *One Hundred Thousand Pounds* aforesaid (except *Two Thousand Pounds* thereof, deposited in the Hands of Mr. *James Webb*, for erecting Barracks in the Borough of *Lancaster*, not accounted for, as the Barracks are not yet finished; and the further Sum of *Six Thousand Six Hundred and Sixty-nine Pounds Eight Shillings and Four-pence*, in the Hands of Doctor *Charles Moore*, not accounted for, as the whole Sum is not yet expended; and also a Balance of *Four Hundred and Forty-four Pounds Thirteen Shillings and Eight-pence*, including the Balance of his last Year's Account, remaining in the Hands of Mr. *James Young*, Paymaster, to be accounted for in his next Settlement) has been carefully and duly applied to the several Purposes for which the same was granted, and to no others whatsoever.

And as your Committee have not at present sufficient Leisure for stating a full Account of the said Grant, we pray that Directions may be given to the Trustees of the General Loan-Office, that, from the Orders drawn by the said Commissioners, they make out an Account of the said *One Hundred Thousand Pounds*, to whom paid, and to what Purposes appropriated, as particularly expressed in the above-mentioned Orders, that the same may be published with the Votes of this House, for the Satisfaction of the Public.

EMANUEL CARPENTER,	RICHARD PEARNE,
JAMES WEBB,	JOHN MORTON,
ISAAC SAUNDERS,	DANIEL ROBERDEAU."

Ordered, That the Trustees of the General Loan-Office do prepare an Account of the said *One Hundred Thousand Pounds*, as expended by the said Commissioners, to be published with the Votes of the House, agreeable to the Request of the Committee.

The Members appointed to confer with the Governor on the Petition of Mr. *Hughes*, reported they had waited on his Honour for that Purpose; and that he was pleased to say, as the Demand of the Petitioner was for Services done the Public, he thought it a just Debt upon the Province, and should readily concur with the House in making Provision for the Payment thereof in some future Act, but could not be of

Opinion that the last Law for granting *One Hundred Thousand Pounds* to his Majesty, would authorize its being paid out of that Sum, and should not therefore consent to it, being determined to make the Laws of the Province the Rule of his Conduct.

The House resumed the Consideration of the Governor's Amendments on the Bill for appointing Agents to apply for and receive the distributive Shares and Proportions of the Monies which have been, or may be granted by Parliament to his Majesty's Colonies in *America*, &c. and, after some Time spent therein, having agreed to some, and in others adhered to the Bill, an Answer was drawn at the Table accordingly, which being read and transcribed,

Ordered, That Mr. *Bogart* and Mr. *Beeting* wait on the Governor therewith, and also return the said Bill to his Honour for his further Consideration.

Ordered, That Mr. *Fox*, Mr. *Watson*, Mr. *Gibbons* and Mr. *Saunders* be a Committee for settling the Incidental Charges of the Year.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for appointing Agents to apply for and receive the distributive Shares and Proportions, &c. with the Answer of the House to his Honour's Amendments thereon, reported they had delivered the same according to Order; and that the Governor was pleased to say, it was very well.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 27, 1760.

The Governor, by Mr. Secretary, returned the Bill, entitled, "*An Act for appointing Agents to apply for and receive the distributive Shares and Proportions of the Monies which have been, or may be granted by Parliament to his Majesty's Colonies in America, &c.*" with a Reply to the Answer of the House to his Honour's Amendments on the said Bill, which Reply being read, and duly considered, the House resolved, upon the Question, to adhere to the Bill as altered by their Answer to the Governor's first Amendments thereon.

The House then taking into Consideration the Bill for vesting the State-House, and other public Buildings, with the Lots whereon the same are erected, in Trustees, &c. and finding it cannot be perfected during the present Sitting, do recommend the said Bill, together with the Report of the Persons appointed to view the River *Schuylkill*, to the Notice and particular Attention of the succeeding Assembly.

Then the House adjourned to Three o'Clock, *P. M.*

The Report of the Committee of Accounts being presented at the Table, was read, approved of by the House, and is as follows, viz.

WE, the COMMITTEE appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, to sink and destroy all the Bills of Credit, pursuant to the late Paper-money Acts, and to count all the Money, and report what Sum we should actually find in the Trustees Hands, REPORT,

THAT on the Twenty-seventh Day of September we counted all the Money in the Hands of the Trustees of the General Loan-Office, and found the Sum of ———

£50,268 8 2

That upon a strict Examination of all the Mortgage Deeds (whereon any Quotas are due) taken by Virtue of all the Acts of Assembly for emitting Bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums or Quotas yet unpaid, and Quotas to become due on all the Mortgage Deeds remaining in the said Office, amounting to the Sum of ———

£29,778 10 0

That it appears by a List of 107 Mortgages, taken for Money lett out on the third Eighty Thousand Pounds Act, the Amount is ———

£7,488 0 0

And by a List of 79 Mortgages on the first Re-emission of the said Act, ———

5,801 5 0

13,289 5 0

And Cash received, what was lent Col. John Hunter, Agent for the Contractors, ———

13,350 0 0

And the Balance of the Interest Account, ———

4,236 1 1

£60,653 16 1

Balance, ———

19,846 8 11

£80,000 0 0

THAT the Trustees, on Account of Interest arising from all the Mortgages lett out in Pursuance of the several Acts of Assembly, are Charged with the Interest outstanding last Year, —

£ 7,560 2 1

And an Error, ———

100 0 0

To the Interest arising on all the Mortgage Deeds the current Year, ———

£1,173 0 0

To the broken Interest received since last Settlement, ———

1,988 16 10

To the Interest at Discharge, ———

84 4 6

3,246 1 4

10,906 8 5

Balance, ———

4,236 1 1

£15,142 4 6

That the Trustees have Credit for Money advanced by them out of the Quotas, to pay sundry Draughts of Assembly, By a Loss on Mortgages sold, viz. George M'Intire, £28, Lawrence Hoff, £19 12 3, ———

£ 8,214 2 3

47 12 8

By Interest outstanding on all the
Mortgage Deeds, 5,511 1 10
By Cash paid Sundries, by Order, viz.

1759.

October

1. Paid Samuel Kirke,
as Sergeant at
Arms, and in full
of his Account, £ 13 0 0

Nov.

19. Paid Ditto, for
Wood for the
State-House, 12 7 7 £ 25 7 7

Oct.

8. Paid Andrew M'Nair, for his At-
tendance as Door-keeper, &c. — 33 1 1

Nov.

5. Paid William Leech, towards Paint-
ing done at the State-House, — 32 0 0

22. Paid Charles Moore, as Clerk of
the Assembly, and for tran-
scribing and engrossing, 193 9 6

Dec.

3. Paid Edward Cary,
for boarding
Debby Montour
to May 1, 1759, £ 12 0 0

1760

June

24. Paid Ditto, for
Ditto, to May 1,
1760, 12 0 0 24 0 0

April

1. Paid John Guest, for Shoes for
Andrew Montour's Children, — 0 18 6

29. Paid William Smith, for a Pair
of Shoes for Ditto, 0 3 9

Sept.

2. Paid Arthur Patterson, an As-
sembly Order, 1755, — 8 1 0

By Ditto paid the Interest on sundry
Provincial Notes, per List, 213 0 0

By Ditto paid for sundry
Provincial Notes, sunk
by the Commit. Prin-
cipal, 300 0 0

Interest, 89 6 9

339 6 9

By the Trustees Salary, 500 0 0

£15,142 4 6

WE do further Report, that the Provincial Treasurer has
paid into the Hands of the Trustees of the General
Loan-Office, as per Charles Norris's Receipts, viz.

Of the Twelvepenny Tax, £ 628 3 6

Of the first Eighteen-
penny Tax, 294 16 1

Of the second Eighteen-
penny Tax, 1,541 7 7

Of the third Eighteen-
penny Tax, 19,542 4 4

£22,006 11 6

Deduct for paying out
£100,000 granted 32d
George II. at 3s. per
£100, 150 0 0

£21,856 11 6

Deduct for sinking, at 5s. per £100, — 54 12 6

£21,801 19 0

Which Sum of Twenty-one Thousand Eight Hundred

One Pounds Nineteen Shillings we the Committee have burnt, including One Hundred Twenty-five Pounds, paid by Order of the Assembly to Moses Dickey, in Lieu of that Sum, of the current Money of this Province, which was burnt with his House.

THAT we have examined the Account of Samuel Preston Moore, Provincial Treasurer, and find, that he Credits the Province on Account of the new Excise,

By Cash received of Joseph Stretch, Collector for Philadelphia County, —	£ 1,903 17 0
Ditto of Charles Humphreys, Collector for Chester, —	424 18 2
Ditto of James Webb, Collector for Lancaster, —	430 0 0
Ditto of Joseph Hamton, Collector for Bucks, —	249 13 10
Ditto of John Hughes, Collector for Berks, —	200 0 0
Ditto of John Jones, Collector for Northampton, —	99 3 6
Ditto of Thomas Minshall, Collector for York, —	67 0 0

£ 3,374 18 6

That he Charges the Province with Cash burnt by the Committee, —

£ 3,214 4 4
160 14 2

To his Commissions, at Five per Cent, —

£ 3,374 18 6

THAT he Credits the Province, on Account of the old Excise,

By Balance in his Hands at the last Settlement, —	£ 65 3 4
By Cash received of Arthur Patterson, —	113 0 0
By Ditto of Joseph Fox, on Account of the Province Island, —	98 4 6

£ 276 7 10

THAT he Credits the Province, on Account of the Twelvepenny Tax,

By Cash received of Jonas Seely, in full for Berks County, —	£ 114 7 4
By Ditto of John Byers, Treasurer for Cumberland County, an Arrearage of their Sixpenny Tax, since the Settlement of that Tax, —	10 13 11
By Ditto of Philip Syng, in full for Philadelphia County, —	4 13 8
By Ditto of John Blackburn, in Part, for York County, they not having laid this Tax before, —	500 0 0

£ 629 14 11

N. B. Cumberland have not yet laid this Tax for their County.

To Cash paid the Trustees, as per

Charles Norris's Receipts, —

£ 628 3 6

To his Commission, at 5s. per Cent, —

1 11 5

£ 629 14 11

THAT he Credits the Province, on Account of the first Eighteenpenny Tax,

By Cash received of John Byers, in full of this Tax for Cumberland County, as per their Commissioner's Certificate, —	£ 20 11 10
By Ditto of Jonas Seely, in full for Berks, —	275 3 8

£ 295 15 1

That he Charges the Province with Cash paid Charles Norris, as per Receipts, —

£ 294 16 1

To his Commissions on two Thirds, at

Five Shillings per Cent, 9s. 6d. }

To his Commissions on one Third, at

Ten Shillings per Cent, 9s. 6d. }

0 19 0

£ 295 15 1

THAT he Credits the Province, on Account of the second Eighteenpenny Tax.

By Cash received of Robert Miller, in full for Cumberland, exclusive of £ 4 0 6 which he had overpaid on this Tax,	£	75	18	6	
By Ditto of Jonas Seely, for Berks County,		560	15	7	
By Ditto of Thomas Janney, for Bucks,		84	0	1	
By Ditto of Philip Syng, for Philadelphia County,		824	6	5½	
By Ditto of John Wagle, in full for Northampton,		1	9	0	
					£ 1,546 10 7½
That he Charges the Province with Cash paid Charles Norris, per Receipts, —	£	1,541	7	7½	
To his Commissions on two Thirds, at Five Shillings per Cent, 2 11 6					
To his Commissions on one Third at Ten Shillings per Cent, 2 11 6			5	3	0
					£ 1,546 10 7½

THAT he Credits the Province on Account of the third Eighteenpenny Tax,

By Cash received of Robert Miller, in full for Chester County,	£	3,819	17	4	
By Ditto of John Wagle, in full for Northampton,		800	9	3	
By Ditto of Bernard Hubley, in full, for Lancaster,		3,594	6	1	
By Ditto of Jonas Seely, in Part for Berks,		661	3	6	
By Ditto of Thomas Janney, near in full for Bucks,		2,586	0	0	
By Ditto of Philip Syng, in Part for Philadelphia County,		7,781	7	2	
By Ditto of Robert Miller, in Part for Cumberland,		527	8	0	
By Ditto of John Blackburn, in Part for York,		786	0	0	
					£20,565 11 4

That he Charges the Province with Cash paid Sundries, viz.

Paid John Baynton, his Salary as a Provincial Commissioner, for disposing of One Hundred Thousand Pounds, granted to the King 1759, —	£	100	0	0	
Paid Lynford Lardner, his Salary, —		100	0	0	
Paid David Hall, for Paper, and printing £100,000, granted 1759, as per his Account, —		230	0	7½	
Paid Joseph Galloway his Salary, —		100	0	0	
Paid Joseph Fox, his Salary, —		100	0	0	
Paid Thomas Cadwallader, Ditto, —		100	0	0	
Paid William Masters, Ditto, —		100	0	0	
Paid Thomas Leech, for repairing Types for Money granted 1757, 1758, 1759, —		25	0	0	
Paid the Trustees, as per Charles Norris's Receipts, —		19,542	4	4½	
To his Commissions on two Thirds, at Five Shillings per Cent, —		34	3	2	
To his Commissions on one Third, at Ten Shillings per Cent, —		34	3	2	
Paid John Hughes, his Salary, —		100	0	0	
					£20,565 11 4

THAT we have examined the Accounts of Joseph Stretch, Collector for the County of Philadelphia, and find,

That he Credits the Province by Balance of Account, as settled with the Committee last Year, —	£	536	11	0	
By Amount of Excise from July, 1759, to July, 1760, —		1,783	1	4	

By sundry Retailers per Annum, -----	255 10 0	
By one Moiety of Seizures, -----	7 10 0	
		£ 2,532 12 4
That he Charges the Province to Cash paid the Provincial Treasurer, -----	£ 1,903 17 0	
To his Commissions on the above Sum, at Five per Cent. -----	95 3 9	
To sundry Allowances for Insolvents, &c. from the Commencement of the Excise Act, as per List, -----	61 2 6	
Balance due to the Province, -----	472 9 1	£ 2,532 12 4

THAT we have examined the Accounts of
Charles Humphreys, Collector for the
County of Chester, and find,

That he Credits the Province by Balance of Accounts as settled last Year, --	£ 68 4 4	
By Amount of Excise, from July 1759 to July 1760, -----	458 2 0	£ 526 6 4
That he Charges the Province to Cash paid the Treasurer, as per Receipts, -----	£ 424 18 2	
To his Commissions on the above Sum, at Ten per Cent. -----	42 10 0	
Balance due to the Province, -----	58 18 2	£ 526 6 4

THAT we have examined the Accounts of
James Webb, Collector for the County
of Lancaster, and find,

That he Credits the Province by Balance of Account, settled with the Com- mittee 1758, -----	£ 310 18 0	
By Amount of Excise from July 1758 to July 1759, -----	385 8 4	
By the Amount of Excise from July 1759 to July 1760, -----	387 6 2	£ 1,083 12 6
That he Charges the Province to Cash paid the Treasurer in 1759 and 1760, -----	£ 712 11 0	
To his Commissions on the above, at Ten per Cent. -----	71 5 0	
To Balance due to the Province, -----	299 16 6	£ 1,083 12 6

THAT we have examined the Accounts of
John Jones, Collector for the County
of Northampton, and find,

That he Credits the Province by the Amount of Excise, -----	£ 74 18 0	
By sundry Retailers, per Annum, -----	42 0 0	
By Outstanding last Year, -----	36 1 6	£ 152 19 6
That he Charges the Province to Cash paid the Treasurer, -----	£ 99 3 6	
To his Commissions at Ten per Cent. --	9 18 4	
To Balance outstanding, -----	43 17 8	£ 152 19 6

THAT we have examined the Accounts of
Arthur Patterson, the former Collector
of Lancaster County, and find,

That he Credits the Province by Balance of Account as settled with the Com- mittee 1753, -----	£ 87 6 1	
By Amount of Excise from June 1753 to June 1754, -----	250 15 10	
By Ditto from 1754 to 1755, -----	246 13 2	
By Ditto from 1755 to June 12, 1756, when the former Excise Act ended, --	242 14 11	£ 827 10 0
That he Charges the Province to Cash paid the Treasurer, -----	£ 724 18 9	

To his Commissions at Ten per Cent. —	72 10 0	
To a List of outstanding Debts due to the Province, —	30 6 3	£ 827 10 0
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THAT we have examined the Accounts of Joseph Hamton, Collector for the County of Bucks, and find,		
That he Credits the Province by Balance of Account last Year, —	£ 24 12 7	
By Amount of Excise from June 1759 to June 1760, —	215 7 4	
By 17 Retailers, at £3 per Annum, —	51 0 0	£ 290 19 11
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That he Charges the Province to Cash paid the Treasurer, per Receipts, —	£ 249 19 10	
To his Commissions, at Ten per Cent, —	25 0 0	
To Balance due to the Province, —	16 0 1	£ 290 19 11
<hr/>		
THAT Thomas Minshall, Collector for the County of York, hath not exhibited any Account, but we find he has paid the Provincial Treasurer, —		£ 67 0 0
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THAT we have examined the Accounts of John Hughes, Collector for the County of Berks, and find,		
That he Credits the Province by Balance of Account settled last Year, —	£ 115 13 7	
By Amount of Excise from July 1759 to July 1760, —	239 19 3	£ 355 12 10
<hr/>		
That he Charges the Province to Cash paid the Treasurer, per Receipts, —	£ 200 0 0	
To his Commissions on the above Sum, at Ten per Cent. —	20 0 0	
To Balance due to the Province, —	135 12 10	£ 355 12 10
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THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the General Loan-Office, in Exchange Money, —		£ 4,655 4 9
Which Sum still remains in their Hands. —		
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AND lastly, we do report, That of the Money struck to enable the Trustees to lend Col. John Hunter, Agent to the Contractors, &c. Fifty Thousand Pounds, which Sum is repaid into the Hands of the Trustees, —		£35,000 0 0
Of which Sum we have burnt —	£22,047 4 4	
Which leaves in the Hands of the Trustees, in Silver, to be sunk when exchanged, —	12,952 15 8	£35,000 0 0

We submit these Accounts, with the others, to the Observation and Correction of the House.

Philadelphia, September 27, 1760.

JOSEPH FOX,

JOHN BAYNTON,

DANIEL ROBERDEAU,

RICHARD PEARNE,

JOHN MORTON,

JOSEPH WATSON."

The Committee of Accounts, upon Delivery of the foregoing Report, requested the Opinion of the House, whether any Interest ought to be demanded of Colonel *John Hunter*, upon the Provincial Loan to him, from the Twentieth of *June*, when the Law passed for that Purpose, and his Repayment of the Money

on the First of *August*, agreeable to his Bond? And, after a considerable Debate thereon, the same was resolved in the Negative by a great Majority.

Then the several Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being read, and signed by the Speaker, by Order of the House.

The House adjourned to the Thirtieth Day of *September*,
1760.

The COMMISSIONERS appointed by Act of Assembly for disposing of the One Hundred Thousand Pounds for the King's Use, for Cash paid Sundries, as by their Orders drawn on the Trustees of the General Loan-Office,

February 23, 1759

Dr.

TO Balance of the last Hundred Thousand		
Pounds, overpaid, — — — — — — — — — —	£	1 18 8½

To sundry printed Orders, for Recruiting Service, &c. — — — — —	12,790 17 2
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May 8,

Paid Christian Backman Carriage of Sundries to Carlisle for the Provincial Forces,	6 0 0
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Robert Sempler, for John Croser's Account,	
for a Horse lost in the Province Service, —	6 0 0

May 10,

Isaac Still, for a Journey to Wyoming, on the Province Service, per Order of the Governor. — — — — —	6 0 0
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May 11,

James Ennis, for his Journey and Expences	
with the Indians to Easton, — — — — —	5 19 5

May 12,

John Singleton, for his and Alexander Han-	
now's Certificates of Arrears of Pay, — —	310 11 0

May 14,

Hannah Swaine, for boarding Andrew Montour's Children to the 14th Instant, — —	22	8	0
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May 15,

Jacob Cantzon, Attendance and Care of sun-			
dry sick and wounded Soldiers, — — — —	25	0	0

Paul Jackson, for Arrears of Pay,	91 12 0
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George Aston, for Ditto, — — — — —	28	8	0
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James Young, for Recruiting Service, — —	1,000	0	0
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May 18,

Job Dicks and William Thompson, for French	
Neutrals, Providence Township, — — — —	6 0 0

John Blackwood, for Arrears of Pay, — —	143	8	8
Andrew M'Nair, Maintenance and Attendance on a Number of Indians, — — — — —	107	18	9
John Blackwood, for William Patterson's Certificate, — — — — —	4	7	6
<i>May 21, 1759</i>			
James Young, for Arrears of Pay due to the First and Second Battalions of the Provin- cial Forces, — — — — —	2,000	0	0
<i>May 22,</i>			
Christian Frederick Post, going to Wyoming with a Message, — — — — —	10	0	0
<i>May 23,</i>			
Messieurs Chevaliers and Wharton, towards cloathing the Troops, — — — — —	3,000	0	0
<i>May 24,</i>			
James Young, for Recruiting Service, — —	1,000	0	0
John Morton, Esq; his Certificate for Service on the Committee, — — — — —	12	0	0
<i>May 26,</i>			
William Allen, Esq; Ditto, as Chief Judge, —	200	0	0
William Dunlap, Ditto, Postage of Letters, &c.	24	13	2
John Clark, per the Hands of James Young, for Recruiting, — — — — —	100	0	0
<i>May 29,</i>			
William Dunlap, for Printing, &c. — — — —	9	17	6
Daniel Mackinet, Maintenance, Lodging and Washing for two French Prisoners, — —	39	12	0
John Hughes, Esq; Certificate for Service on the Committee, — — — — —	12	0	0
<i>May 31,</i>			
James Young, for Recruiting Service, — —	1,500	0	0
<i>June 1,</i>			
Issachar Davids, for delivering John Hart to the Sheriff of Lancaster, — — — — —	4	8	0
George Aston, for keeping a Horse belonging to the Province, — — — — —	4	12	4
Messieurs Chevalliers and Wharton, towards cloathing the Troops, — — — — —	1,500	0	0
John Smith, purchasing Provisions, &c. — —	49	10	0
Francis Innis, in Consideration of his Loss by the Indians, — — — — —	5	0	0
<i>June 2,</i>			
James Webb, to be applied towards building Barracks at Lancaster, — — — — —	2,000	0	0

Samuel Brown, Maintenance of Indians, Manor of Pennsbury, — — — — —	11	5	10
Daniel Benezet, ten Pieces of Indian Blanket- ing for the Province, — — — — —	200	0	0
<i>June 4, 1759</i>			
Stephen Carmick, sundry Goods for the Use of the Province, — — — — —	166	10	0
James Young, for the Recruiting Service, —	2,000	0	0
<i>June 5,</i>			
William Nicholson, keeping sundry Indians Horses, — — — — —	37	9	6
John Andrew, for two Horses in the Province Service, — — — — —	11	0	0
Richard Hockley, Esq; Keeper of the Great Seal, — — — — —	13	4	0
<i>June 6,</i>			
Abraham Turner, Sundries for Captain Smith's Company, — — — — —	3	1	0
<i>June 8,</i>			
John Eastburn, Administrator to Nathan Roberts, — — — — —	2	12	6
Robert White, for a grey Mare, — — — —	6	0	0
Joseph Pugh, sundry Accounts for Waggon- age of Sundries for Indians, — — — —	7	10	0
Ditto, for Sundries for the Guard-house and Hospital at Lancaster, — — — — —	26	2	4
Bernard Hubley, Sundries supplied Ditto, —	35	14	9
<i>June 9,</i>			
James Young, towards discharging Arrears due to the Provincial Forces, — — — — —	1,500	0	0
Ditto, for the Recruiting Service, — — — —	2,000	0	0
Caleb Cowpland and William Coleman, Es- quires, Certificate for Services, — — — —	60	0	0
Franklin and Hall, for printing, Votes, &c. —	184	5	0
Evan Bowen, for a Horse lost going with the Indians to Wyoming, — — — — —	6	0	0
<i>June 11,</i>			
Joseph Galloway, Esq; immediate Services, —	20	0	0
<i>June 12,</i>			
John Baynton, Esq; on the Committee of Accounts in 1757, — — — — —	12	4	0
Ditto, for Ditto, in 1758, — — — — —	12	0	0
Isaac Norris, Esq; immediate Services, — —	20	0	0

Dr. Thomas Graeme, Medicines and Attendance on Indians, — — — — —	46	3	6
<i>June 13, 1759</i>			
Robert Erwin, for a Year's Board and Cloathing of an Indian Boy, — — — — —	16	7	11
Joseph Fox, Esq; on the Committee of Accounts, — — — — —	12	0	0
Ditto, for sundry Disbursements, — — — —	35	13	8
Ditto, for Services providing for Soldiers quartered in the Barracks, — — — — —	60	0	0
Daniel Roberdeau, Esq; his Expences at the Treaty at Easton, — — — — —	3	16	6
<i>June 14,</i>			
Robert Charles, Esq; for three Years Salary, as Agent to this Province, — — — — —	495	0	0
Richard Patridge, Esq; Ditto, — — — — —	495	0	0
Isaac Norris, Esq; advanced by him to Benjamin Franklin, Esq; Agent, — — — — —	2,362	10	0
James Young, for Recruiting Service, — —	5,000	0	0
Ditto, for Payment of Provincial Forces, —	40,000	0	0
<i>June 15,</i>			
Richard Pearne, Esq; on the public Accounts, — — — — —	12	0	0
Richard Peters, Esq; Clerk of the Council, —	15	0	0
George Gillaspie, Horse-hire and hunting Horses, — — — — —	19	5	0
Edward Croston, the Balance of his Account for victualling Provincial Forces, — — —	3,290	11	11
Joseph Fox, Esq; Disbursements for the Barracks, Guard-house and King's Hospital, —	314	2	3
<i>June 19,</i>			
Ditto, for Indian Expences settled this Day, — — — — —	21	6	2
Thomas Yorke, for 28 Pieces of Indian Blanketing, and 8 Coverlids, — — — — —	281	12	0
Thomas Janvier, Sundries for the Use of the Province, — — — — —	37	17	4
<i>June 20,</i>			
Messieurs Chevaliers and Wharton, cloathing Provincial Forces, — — — — —	1,500	0	0
John and Peter Chevalier, for 7 Pieces of Blanketing, — — — — —	70	0	0
John Bissel, Smith's Work for the Barracks, — — — — —	9	9	6
<i>June 22,</i>			
John Bull, Account for Sundries, — — — —	7	0	0
John Mitchell, in full of Hugh Crawford's Account, certified the 2d of March, 1758, —	75	4	0
David Jameson, Subsistence Money of Captain Stuart's Company, — — — — —	50	0	0

June 23, 1759

Richard Parker, Chambers for the Pumps of the Pennsylvania Frigate, — — — — —	8 8 0
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Stocker and Fuller, for six Pieces of Blanket- ing, — — — — —	57 0 0
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June 25,

General John Stanwix, in full of his Account,	32 14 0
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June 29,

Andrew M'Nair, for Indian Expences, — —	13 0 10
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James Eddy, for French Neutrals and Soldiers Wives, — — — — —	229 1 0
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July 3,

Michael Gross, Horse and Indian Accounts,	25 13 6
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John Baynton, Esq; for George Saunderson's Account for Keeping Post-Horses, — — —	19 3 1
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July 12,

Edward Croston, for two Horses — — — —	15 0 0
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July 18,

Benjamin Wallace, Commissary at Fort Hunter, — — — — —	7 8 0
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July 23,

Thomas Penrose, in full of his Father T. P. deceased, Account for the Pennsylvania Frigate, — — — — —	155 4 9
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July 25,

Anthony Benezet, in full for building Houses for French Neutrals, — — — — —	30 0 0
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August 8,

Lawrence Growdon, Esq; as second Judge, —	60 0 0
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August 31,

Hughes and Jones, Sundries for the Province Service, — — — — —	29 15 6
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Messieurs Chevaliers and Wharton, Sundries for the Provincial Forces, — — — — —	259 17 0
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September 11,

Overseers of the Poor of the City of Phila- delphia, for Support of French Neutrals,—	170 2 9
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October 12,

John Hughes, Esq; for Balance of his Ac- count of Expences at Wyoming, — — — —	17 18 0
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December 13,

Conrad Weiser, Expences and Attendance on Indian Affairs, — — — — —	121 6 3
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December 15, 1759

James Young, towards discharging Arrears of		
Pay, — — — — —	3,000	0 0
Sundry Officers and Soldiers Tickets, — —	8,548	13 2
Charles Moore, Contingent Expences, — — —	606	13 3½
	<hr/>	
	£100,000	0 0

INCIDENTAL CHARGES

TO Isaac Norris, Esq; for extraordinary			
Services, — — — — —	£	25	0 0
To Joseph Galloway, Esq; for Ditto, — — —		25	0 0
To the Members of Assembly, for their At-			
tendance, as <i>per</i> List, — — — — —		626	10 0
To William Allen, Esq; Chief Judge of the			
Supreme Court, — — — — —		200	0 0
To Lawrence Growdon, Esq; Assistant Judge			
of Ditto, — — — — —		100	0 0
To William Coleman, Esq; Ditto of Ditto, —		100	0 0
To Mr. Fox, for his Attendance on the Com-			
mittee of Accounts, and for burning Paper			
Money, — — — — —		12	0 0
To Mr. Hughes, for Ditto, — — — — —		12	0 0
To Mr. Pearne, for Ditto, — — — — —		12	0 0
To Mr. Roberdeau, for Ditto, — — — — —		12	0 0
To Mr. Baynton, for Ditto, — — — — —		12	0 0
To Mr. Watson, for Ditto, — — — — —		12	0 0
To Mr. Morton, for Ditto, — — — — —		12	0 0
To Robert Charles, Esq; his Salary as Agent,			
£100 Sterling, — — — — —		165	0 0
To Mr. Moore, for Attendance as Clerk of			
Assembly, and his Account of engrossing			
and transcribing Bills, Messages, &c. &c. —		92	13 6
To Messieurs Franklin and Hall, for print-			
ing Votes of the House, Laws, Proclama-			
tions, &c. &c. — — — — —		369	19 3½
To Richard Peters, Esq; his Salary as Clerk			
of the Council, — — — — —		15	0 0
To Richard Hockley, Esq; for affixing the			
Great Seal, — — — — —		22	14 0
To Mr. Brockden, for his Account of Services,		26	19 10
To Mr. Fox, for his Services as Barrack-			
Master, — — — — —		50	0 0
To Mr. Kirke, his Salary as Serjeant at			
Arms, — — — — —		8	0 0

To *Andrew M'Nair*, for his Attendance as
Door-keeper, and other Services to the
House, _____

21 19 2½

£1,932 15 10

WE, the Committee for incidental Expences, have examined
the Accounts hereby referred to, and find them charged as
usual.

Philadelphia, September 27, 1760.

JOSEPH FOX,
JOSEPH WATSON,
JOSEPH GIBBONS,
ISAAO SAUNDERS."

*At an ASSEMBLY held in Philadelphia, the Fourteenth Day
of October, Anno Domini 1760, P. M.*

October 14, 1760.

BY the Returns of the Sheriffs of the several Counties, it
appears that the following Gentlemen were chosen to serve in
Assembly, as Representatives of the Freemen of the Province
of *Pennsylvania*, for the ensuing Year, *viz.*

For <i>Philadelphia</i> County.	For <i>Bucks</i> County. <i>Abraham Chapman</i> ,	For <i>Lancaster</i> County. <i>Emanuel Carpenter</i> ,
<i>Isaac Norris</i> ,	<i>Joseph Hampton</i> ,	<i>Isaac Saunders</i> ,
<i>Thomas Leech</i> ,	<i>Henry Wynkoop</i> ,	<i>James Webb</i> ,
<i>Joseph Fox</i> ,	<i>Giles Knight</i> ,	<i>James Wright</i> .
<i>Joseph Galloway</i> ,	<i>William Smith</i> ,	
<i>Richard Pearne</i> ,	<i>George Ely</i> .	
<i>John Hughes</i> ,	For <i>Chester</i> County.	For <i>York</i> County.
<i>Daniel Roberdeau</i> ,	<i>George Ashbridge</i> ,	<i>David M'Connaughy</i>
<i>John Baynton</i> .	<i>John Morton</i> ,	<i>John Blackburn</i> .
For <i>Philadelphia</i> City.	<i>Roger Hunt</i> ,	For <i>Cumberland</i> County.
<i>Benjamin Franklin</i> ,	<i>Joshua Ash</i> ,	<i>William Allen</i> ,
<i>William Masters</i> .	<i>Joseph Gibbons</i> ,	<i>John Byers</i> .
For <i>Bucks</i> County.	<i>Nathaniel Pennock</i> ,	For <i>Berks</i> County.
<i>Isaac Wayne</i> ,		<i>John Potts</i> .
<i>Amos Strickland</i> ,	<i>William Boyd</i> .	For <i>Northampton</i> County.
<i>James Melvin</i> ,		<i>Lodowick Beeting</i> .

A Quorum of the Representatives being met, proceeded, ac-
cording to the Charter of Privileges and Laws of this Province,

to the Choice of a Speaker, when ISAAC NORRIS, Esquire, was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That Mr. *Leech*, Mr. *Masters*, Mr. *Strickland*, Mr. *Ashbridge*, Mr. *Carpenter* and Mr. *Potts* wait on the Governor, and acquaint him, that pursuant to the Charter and Laws of this Province a Quorum of the Representatives have met, and proceeded to chuse a Speaker, and desire to know when his Honour will be pleased to receive the House, that they may present their Speaker for his Approbation.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

October 15, 1760.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be at the Council Chamber between Eleven and Twelve this Morning, in order to receive the House with their Speaker.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber immediately."

Then Mr. Speaker, with the whole House, waited upon the Governor, and being returned, Mr. Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, of whom his Honour had been pleased to approve; and that he, the Speaker, had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may, at all seasonable Times, have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into a Resolve, nor give the least Credit to such Report.

Fourthly, That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the just Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province; to which

his Honour was pleased to say, "Such Privileges were essentially necessary, and he hoped he never should violate them."

The Qualification, appointed by Law to be taken by Members of Assembly, and the Test of Abjuration, being prepared and brought in, the same were taken and subscribed, first by Mr. Speaker in the Chair, and then at the Table by all the rest of the Members present, in their Order.

Resolved, That *Charles Moore* be Clerk to this House for the ensuing Year; and he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirke* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Andrew M'Nair* be Door-keeper to this House for the ensuing Year.

Resolved, That *Benjamin Franklin*, Esq; be, and he is hereby continued and appointed, Agent of this Province, to solicit and transact the Affairs thereof in *Great-Britain*, in Pursuance of the Powers and Instructions given to him by the last Assembly, and of such further Instructions as may be hereafter given him by this House.

Resolved, That *Robert Charles*, Esq; be appointed Agent to assist the said *Benjamin Franklin* in the Discharge of his Duty in transacting the Affairs of this Province, according to the foregoing Resolve, during his Stay in *Great-Britain*, and then sole Agent for the remaining Part of the Year.

Ordered, That Copies of the foregoing Resolves, re-appointing the Agents for this Province at *Great-Britain*, be prepared and transmitted, under the Great Seal, to the said Agents by the first Opportunity.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

The Governor, by Mr. Secretary, sent down to the House a Letter from General *Monckton*, dated at Fort *Pitt*, the Twenty-sixth ult. with a written Message from his Honour, which were severally read, and are as they respectively follow, viz.

GENTLEMEN,

'PURSUANT to the Requisition of his Excellency General *Monckton*, I applied to the late House of Representatives at their last Meeting, That Four Hundred of our Provincial Soldiers, with Offices in Proportion, might be immediately re-enlisted, at the Charge of the Province, to serve for Winter Garrisons at the several Posts he had thought necessary to be taken for supporting his Majesty's Rights on Lake *Erie* and the River *Ohio*; and also at the Forts *Augusta* and *Allen*.

'But the said late House of Representatives being then on

the Point of Dissolution, did decline acceding to the proposed Measure at that Time, and referred the Consideration of it to the next succeeding Assembly.

'As therefore you, Gentlemen, are now met in Consequence of a new Election, and consist nearly of the same Members as before, it is my duty, and I do accordingly press it upon you to re-consider this Matter with the Attention it deserves, and enable me to comply with the General's Requisition still lying before you.—And I do this with the greater Confidence of Success, as you are sensible that our Levies of Men for the present Campaign fell greatly short of the Number provided for by the late Act for granting a Supply to his Majesty.

'You will permit me further to recommend to you the greatest Dispatch in your Deliberations on this Subject, that the General may no longer remain in a State of Uncertainty, but be advised, as soon as possible, of what he hath to depend upon from us; the Necessity of which will evidently appear, when you call to Mind that the Time of Service of the Troops in the Pay of this Province will determine on the Twenty-fifth of the next Month; a Period full short either for re-enlisting the Men, should you consent to that Measure, or providing, by any other Means, for this important Service, in case you should refuse it, which I am in Hopes is far from your Thoughts.

'I herewith lay before you a second Letter I have received from General *Monckton* on the same Subject.

October 15, 1760.

JAMES HAMILTON."

GENERAL MONCKTON's Letter to the GOVERNOR.

SIR,

Fort Pitt, September 26, 1760.

I WAS honoured with your Letter of the Eighteenth Instant Yesterday Evening, and have been favoured from Mr. *Peters* with Copies of your Message to the Assembly, and their Answer.

By the Letter I am sorry to find that there is a Likelihood of my so necessary a Requisition meeting with so much Difficulty; but as I had the Honour, in my former Letter, Sir, of acquainting you with the urgent Necessity there will be for keeping up at least a Body of Four Hundred of the *Pennsylvania* Troops to assist in garrisoning the Forts in this Department for the ensuing Winter, and as the great and near Concern the Province of *Pennsylvania* has in the preserving these Posts, must be so clearly evident to every Member of your Assembly, any Thing further on my Part must be

needless to induce them to comply with it, if their own Interest will not sufficiently point out to them the Necessity.

I am therefore, Sir, hopeful, that upon a mature Consideration of your Message, which so fully sets forth the public and their own Interest for such a Measure, that the new Assembly will enable you to raise the Men required. I have the Honour to be, Sir, with much Esteem,

Your obedient and humble Servant,

ROBERT MONCKTON."

Then the House adjourned to Four o'Clock, *P. M.*

By the Sheriff's Return for the County of *Cumberland*, presented at the Table, and read, it appears that *William Allen* and *John Byers*, Esquires, were duly elected Representatives of the said County for the ensuing Year.

Ordered, That *Mr. Fox*, *Mr. Galloway*, *Mr. Leech*, *Mr. Hughes*, *Mr. Masters* and *Mr. Potts*, with the Speaker, be a Committee of Correspondence for the ensuing Year.

Ordered, That *Mr. Fox*, *Mr. Galloway*, *Mr. Strickland*, *Mr. Smith*, *Mr. Ashbridge*, *Mr. Saunders*, *Mr. Potts* and *Mr. Beeting* be a Committee of Aggrievances for the ensuing Year, and that they have full Power and Authority to send for Persons, Papers and Records.

Ordered, That *Mr. Fox*, *Mr. Hughes*, *Mr. Roberdeau*, *Mr. Pearne*, *Mr. Baynton*, *Mr. Strickland*, *Mr. Morton* and *Mr. Potts* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have full Power and Authority to send for Persons, Papers and Records.

Ordered, That *Mr. Fox* and *Mr. Galloway*, with the Speaker, be a Committee to revise and correct the Minutes of this House, previous to their Publication.

A Petition from *Francis Yarnall*, of *Chester County*, late a Trustee of the General Loan-Office, was presented to the House and read, praying to be re-appointed to the said Office of Trustee, in the Room of *Nathaniel Grubb*, deceased.

Referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 16, 1760.

The House resuming the Consideration of the Governor's Message of Yesterday, after some Time spent therein, the

Question was put, Whether the House will accede to General *Monckton's* Requisition of Four Hundred Provincial Troops for Winter Garrisons, at the several Forts mentioned in his Excellency's Letter?—and the same was resolved in the Negative by a great Majority.

Ordered, That Mr. *Galloway*, Mr. *Masters*, Mr. *Melvin*, Mr. *Ashbridge*, Mr. *Hunt*, Mr. *Wright*, Mr. *Potts* and Mr. *Beeting* be a Committee to prepare and bring in an Answer to the Governor's Message sent down with the General's Requisition.

Then the House adjourned to Three o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

October 17, 1760.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Fifteenth Instant, reported, they had essayed a Draught for that Purpose, which they presented at the Table, and the same being read, and agreed to by the House, was ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The Answer of the House to the Governor's Message, being transcribed according to Order, was again read, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WHEN we take a View of the favourable Change of Circumstances in the military Operations in this Part of *America*, since the Date of General *Monckton's* first Letter, we apprehend, however necessary and reasonable his Requisition of Four Hundred Men to garrison the Western Fortifications might appear at that Juncture, when the Reduction of *Canada* was uncertain, and a Draught of the Regulars from that Quarter might be dangerous, that Necessity and Reason, by such Change, must be, in a great Measure, diminished, if they subsist at all.—All *Canada* is now reduced.—Her Subjects have submitted, and taken the Oaths of Allegiance and Fidelity to the *English* Government;—Her regular Forces either are, or will soon be, transported to *Old France*;—And there remains no Employment, that we can perceive, or are made acquainted with, for the regular Troops in the Pay of the Nation, but to garrison, during the Winter, the Forts and Posts that may be necessary to preserve his Majesty's Rights:—For which Purpose, we have Reason to conclude, from these Circumstances, there is a very sufficient Number, without laying an unnecessary Burden on this Colony.

Besides, our Predecessors in Assembly having exerted, to the utmost, the Abilities of this young Colony, in order to

comply with his Majesty's Requisition at the Commencement of the Year, from the Terms of which we had no Reason to believe new Aids would be required until another Year, we think it cannot be reasonably expected that we should, at this unusual Season for granting Supplies, accede to the Measure proposed by General *Monckton*; for, without striking a further Sum in Bills of Credit, and new Impositions of Taxes on the People to sink them, this Requisition cannot be complied with; as we have been taught by the Experience of several preceding Years, and the Load of Debt they have left on the Public, that the Sum of Money now remaining in the Treasury undisposed of, will scarcely be sufficient to pay the Troops, and defray the usual and common Exigencies of the present Year.

But were we convinced of the Expediency of the Measure proposed, and was there a sufficient Sum of the Bills of Credit lately struck in the Hands of the Trustees, yet we have very prevalent Motives to dissuade, and indeed deter us, from a Compliance at this Time. The two last Assemblies, zealous to shew their Loyalty to the Crown, and their sincere Attachment to their Mother Country in Pursuance of his Majesty's gracious Requisition, did grant the most generous Aids that could be justly expected from them:—These Supplies were directed by the Laws to be levied in the most equitable and easy Manner to every Person concerned; and in order to answer the present Emergencies of the Crown, Bills of Credit were struck, to the Amount of *Two Hundred Thousand Pounds*.—These Bills have since been received by the Servants of the Crown, and by them passed to the People for their full and legal Value; and yet we have received good Information, that by an Opposition given to the first of these Laws, upon the Confirmation whereof the Security of the People, and the Value of the Bills of Credit, entirely depend, it is, with many other reasonable Laws, reported against by the Lords of Trade, as a proper Object for our most gracious Sovereign to exercise his Royal Prerogative of Repeal upon.—Should this be the Case with the first, we have no Reason to believe a better Fate will attend the last, as they are conceived in very much the same Terms. And should his Majesty be pleased, in Pursuance of this Report, to repeal them both, not only the Bills of Credit, now in the public Fund, but the whole Sum of *Two Hundred Thousand Pounds* will be rendered of no Value; the Consequences of which would be too fatal and distressing to the People we represent, for

us to think of involving them in new Difficulties, until the Fate of those Bills shall be determined.

Signed by Order of the House,

October 17, 1760.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Melvin* and Mr. *Wynkoop* wait on the Governor with the foregoing Message, and acquaint him, that the House incline to adjourn from To-morrow to *Monday* the Fifth of *January* next, if his Honour hath no Objection thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 18, 1760.

The Members appointed to wait on the Governor with the Answer of the House to his Message of the Fifteenth past, reported, they had delivered the same according to Order, and had also acquainted his Honour, that the House inclined to adjourn to *Monday*, the Fifth of *January* next, if he had no Objection thereto.

The Clerk reported that, pursuant to the Order of the House, he had prepared Copies of their Resolves, appointing *Benjamin Franklin* and *Robert Charles*, Esquires, Agents of this Province for the ensuing Year, and waited on the Governor therewith, requesting that the same might be certified under the Great Seal; in Answer to which his Honour was pleased to say, he had an Objection against the said Copies being so certified, and should, by a Message to the House this Morning, acquaint them with his Reasons for such Objection.

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

"THE Clerk of your House having presented to me, by your Order, certain Resolves of the House of Representatives for continuing and appointing *Benjamin Franklin* and *Robert Charles*, Esquires, Agents for this Province, *to solicit and transact the Affairs thereof in Great-Britain, in Pursuance of the Powers and Instructions given to the said Benjamin Franklin by the last Assembly, and of such further Instructions as may hereafter be given him by your House*, and desired that I would be pleased to certify the same under the Great Seal of the Province; I have declined to comply with his Request, and think it necessary to acquaint you with my Motives for so doing.

"I am intirely ignorant, Gentlemen, and have not any Desire to know what Instructions the last or present Assembly may have given to their Agents; nor have I the least Intention to deprive you of the Means or Opportunity of appointing, as often as you think fit, one or more Agents to solicit or transact your Affairs in *Great-Britain*.

'But as I likewise know not but you may have given Instructions to your Agents to apply for and receive from the Lords of the Treasury, under these general Powers of Agency, the distributive Share of the Money allotted to this Province in Virtue of the late Parliamentary Grants; and as I am sensible that my Right, both in respect to receiving and disposing of the said Money, is equal to, and concurrent with, yours, I am not satisfied, by any Act of mine, to enable Persons merely of your Appointment to transact that Business, without joining to them an equal Number of my own Nomination.

'If, nevertheless, you will consent that your Powers of Agency shall contain an express Prohibition to the said *Benjamin Franklin* and *Robert Charles*, or either of them, to receive the said Money, or any Part of it from the Lords of the Treasury, or elsewhere, or in any Manner to intermeddle with it, without a Law being first made for that Purpose, or without the Consent and Approbation of the Governor of this Province for the Time being, signified in Writing, I shall then be ready and willing to certify your Powers of Agency agreeable to your Request.

October 18, 1760.

JAMES HAMILTON."

Ordered, That the Clerk of Assembly do forthwith apply to a Notary Public, to authenticate the said Resolves, appointing *Benjamin Franklin* and *Robert Charles*, Esquires, Agents of this Province, and to draw up his (the said Clerk's) Affidavit of the Governor's Refusal to certify the same under the Great Seal as usual.

The House then taking into Consideration the foregoing Message from his Honour, after some Time spent therein,

Resolved, That the Governor's Refusal to certify the Resolves of the House, appointing their Agents in *Great-Britain* to transact the Business of this Province, without inhibitory Clauses inserted therein, is of dangerous Example, and may tend to prevent the Representatives of the People from laying their Aggrievances before his Majesty, and is an high Invasion of their undoubted Rights and Privileges.

Resolved, That it is the undoubted Right of the Representatives of the People of this Province, to have, on Applications

to the Governor, upon all Occasions, the Resolves and Proceedings of Assembly, or any Part thereof, certified by him in the usual and accustomed Manner, under the Great Seal of this Province.

Ordered, That Mr. *Fox*, Mr. *Galloway* and Mr. *Masters* be a Committee to consider the said foregoing Message from the Governor, and report their Sentiments thereon at the next Sitting of Assembly.

The Speaker producing to the House a Letter some Time since received from *Benjamin Franklin*, Esq; one of the Agents for this Province in *Great-Britain*, by which he is informed that the distributive Shares of the Parliamentary Grant to the *American Colonies* have been made, and that the Proportion allotted to this Province amounts to *Twenty-six Thousand Nine Hundred and Two Pounds Eight Shillings*, requested the Opinion of the House, Whether any Resolves or Orders might be necessary to direct the said Agent to receive and deposite the same in the Bank for the Use of this Province?—After some Time spent in the Consideration thereof, it was

Resolved, That the said *Benjamin Franklin* do receive the said distributive Share allotted to this Province, in Pursuance of the Act passed in the Thirty-third Year of the present Reign, entituled, "*An Act for appointing an Agent to apply for and receive the distributive Share and Proportion which shall be assigned to this Province of the Sum of Money granted by Parliament to his Majesty's Colonies in America.*"

Ordered, That the said *Benjamin Franklin*, when the said distributive Share shall be so received, do deposite the same in the Bank of *England* for safe Custody, in Behalf and for the Use of this Province, in the Names of *Benjamin Franklin* and *Robert Charles*, Esquires, and of *John Sargent*, *George Aufrere*, *Christopher Chambers* and *William Cooke*, Merchants of *London*, or the Survivors or Survivor of them, their Heirs and Assigns; where the same shall remain subject to the Draughts and Bills of Exchange of the Trustees of the General Loan-Office for the Time being; which said Draughts and Bills of Exchange the said Trustees are hereby authorized and enjoined to make and draw upon them the said *Benjamin Franklin*, *Robert Charles*, *John Sargent*, *George Aufrere*, *Christopher Chambers* and *William Cooke*, or the Survivor of them, their Heirs and Assigns, until they shall have drawn for the whole Sum so given, granted and allotted to this Colony.

Ordered, That the Committee of Correspondence do forth-

with transmit Copies of the foregoing Resolve and Order to the said *Benjamin Franklin*, certified by the Clerk of this House.

Mr. Speaker acquainted the House, that, in Pursuance of a Resolve of the late Assembly of the Twentieth of *March*, 1759, he had advanced and remitted to *Benjamin Franklin*, Esq; the Sum of *Seven Hundred and Fifty Pounds Sterling*, at *Fifty per cent*, Exchange, amounting to *Eleven Hundred and Twenty-five Pounds*; and that he had since received an Order of the Commissioners, dated the Twelfth of *June*, 1759, in Pursuance of an Act of Assembly, passed by Governor *Denny*, for *Two Thousand Three Hundred and Sixty-two Pounds Ten Shillings*; by which Means there remains a Balance of *Twelve Hundred and Thirty-seven Pounds Ten Shillings*, for which he stands accountable to the Province, which said Sum was the Amount of *Seven Hundred and Fifty Pounds Sterling*, first advanced and put into the Hands of *Benjamin Franklin*, Esq; at the Time of his Departure for *Great-Britain*, to solicit the Affairs of this Province, being then purchased at *Sixty-five per Cent*. Exchange.

Mr. Speaker therefore requests the House would be pleased to order the said Balance to be paid in such Manner as by the Resolve above-mentioned, and the Law, passed by the said Governor *Denny*, is enacted and provided.

Ordered, That Mr. Speaker do pay the aforesaid Sum of *Twelve Hundred and Thirty-seven Pounds Ten Shillings* to the Trustees of the General Loan-Office, and that the said Trustees do receive the said Sum, and accordingly credit the Province therewith in their next Accounts, to be settled with the Committee of this Assembly.

The House then resuming the Consideration of the Petition of *Lewis Weiss* and *Peter Miller*, for Assistance towards completing their Edition of the Laws of this Province;

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Galloway* and Mr. *Masters*, with the Speaker, be a Committee to examine the said Edition of Laws, and report their Opinion thereof at the next Meeting of Assembly.

Then the House adjourned to *Monday*, the Fifth of *January* next, at Four o'Clock in the Afternoon.

January 5, 1761.

Mr. Speaker, with Eighteen of the Members, met, pursuant to their Adjournment, and a Quorum not appearing, they adjourned to Three o'Clock To-morrow Afternoon.

January 6, 1761.

Ordered, That Mr. *Melvin* and Mr. *Morton* wait on the Gov-

error, and acquaint him, that a Quorum being met, pursuant to Adjournment, they are ready to receive any Business his Honour may be pleased to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 7, 1761.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had no immediate Business to lay before the House, but believed he should have Occasion to send them a Message some Time To-morrow.

Upon Motion by Mr. Fox,

Acquainted the House with the Decease of *William Masters*, Esq; a late Member of Assembly for the City of *Philadelphia*;

Resolved, That Mr. Speaker, do issue his Order to the Provincial Secretary, requiring him to issue a Writ to the Sheriff of the City and County of *Philadelphia*, for electing another Person in the Room and Stead of the said deceased Member: And an Order being drawn accordingly at the Table, the same was signed by the Speaker, and follows in these Words, viz.

Pennsylvania, ss.

BY a Resolve of the Assembly of this Day, I am empowered and directed to order the Provincial Secretary, that he do issue a Writ to the Sheriff of the City and County of *Philadelphia*, for the Election of a Member to serve as a Representative in this Assembly for the said City of *Philadelphia*, in the Room and Stead of *William Masters*, Esq; lately deceased: Therefore, by Virtue of the said Resolve, and in Pursuance of an Act of Assembly of this Province in that Case made and provided, I do require that a Writ be issued to the Sheriff of the said City and County, for the Purpose aforesaid, according to the Direction of the said Law. Dated at *Philadelphia*, the Seventh Day of *January*, Anno Domini 1761.

To Richard Peters, Esq;

Provincial Secretary.

ISAAC NORRIS, *Speaker.*"

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 8, 1761.

Ordered, That Mr. Fox and Mr. Pearne do wait on the Governor, and acquaint him, that there are Accounts in the public Papers of the Death of King GEORGE the Second, and of the Succession of King GEORGE the Third to the Crown; that several Members of Assembly, who have not attended

till this Sitting, are now to be qualified; and the House therefore request the Governor would be pleased to inform them, what Intelligence he has received concerning the Demise of his late Majesty, that the said Members may be properly qualified, in order to proceed on the public Business.

The Members return and report, that on their Way to the Governor's they had met the Secretary, who acquainted them his Honour was just gone out of Town, and that he (the Secretary) was coming to the House with a Message from him; that they then enquired whether the Message contained any thing relating to the Death of the King; and the Secretary informing them it did not, but that the Governor had received a Letter from the Lords of Trade certifying him of the Demise of his late Majesty, said he would go back for the same, and lay it, with the Governor's Message, before the House.

Mr. Secretary attending accordingly, presented to the Chair a written Message from his Honour, together with the aforementioned Letter from the Lords of Trade, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'THE Troops raised by this Province for the Service of the last Campaign, have for the most Part, been paid off and discharged, pursuant to the Law by which they were levied; and that as nearly agreeable to the Time limited by the Act, as, from my best Information, the Circumstances of his Majesty's Service would permit.

'Of the whole Number that was raised, there yet remain near One Hundred and Fifty Men undischarged; of which, about one Half were employed in transporting Provisions from Niagara, and in garrisoning the Forts at *Presque-Isle* and *La Beuf*, till they could be relieved by Detachments from the *Royal Americans*; which (from the Thinness of that Regiment, and Extensiveness of the Duty) not having been done so soon as was expected, they could not therefore march down at the same Time with the rest of the Provincials.

'I am now in daily Expectation of hearing of their Arrival in the settled Parts of the Province, in order to their being paid off and discharged; and as from the Necessities of the Campaign, they have been detained by the Commander in Chief longer than the Act of Assembly makes Provision for, I am in Hopes you will agree with me, in thinking it not unreasonable that they should receive a Recompense for their additional Service, and be paid up to the Time of their actual Arrival at the Place appointed for their Discharge; provided

that no Negligence or Dilatoriness on their March, or other Default, shall appear to have been committed by them.

'With respect to the Remainder, who are still in Garrison at the Forts *Augusta* and *Allen*, I thought it would be most agreeable to you, as well as beneficial to the Public, that they should not be disbanded before the Time of your Meeting; when on taking into Consideration the Situation and Circumstances of the Province, you might come to some certain Determination with regard to the Number of Troops that may be proper to be kept up at one or both of those Posts: For I am persuaded, Gentlemen, that notwithstanding the happy Event of the Reduction of *Canada* to his Majesty's Obedience, you will scarcely think it expedient to slight or abandon the important Fortress of *Augusta*, at least during the Continuance of the War.

'I am therefore, Gentlemen, to request that you will take the Matters now mentioned to you, into serious Deliberation, and impart to me, as soon as with Convenience you can, the Resolutions you shall come to thereupon.

January 8, 1761.

JAMES HAMILTON."

Letter from the SECRETARY of the BOARD of TRADE.

SIR,

Whitehall, October 29, 1760.

IN Consequence of the melancholy Event of the King's Death on the Twenty-fifth Instant, I am directed by the Lords Commissioners for Trade and Plantation to take the Opportunity by the Packet of acquainting you, that the necessary Forms for proclaiming his present Majesty in the Colonies, together with Warrants for using the old Seals, Proclamations for continuing Officers in their Employments, Orders for Alterations of the Liturgy, &c. &c. are preparing with all possible Dispatch, and will be transmitted to yourself, and the rest of the Governors and Commanders in Chief of his Majesty's Colonies in *America*, in a few Days. I am,

SIR, Your most obedient humble Servant,

*To James Hamilton, Esq; Deputy
Governor of Pennsylvania.*

JOHN POWNALL."

Then the House adjourned to Three o'Clock, *P. M.*

The House resuming the Consideration of the Governor's Message, sent down in the Forenoon, and having spent some Time therein,

Ordered, That Mr. Fox, Mr. Leech, Mr. Galloway, Mr. Hughes, Mr. Melvin, Mr. Morton, Mr. Saunders, Mr. Potts and

Mr. *Beeting* be a Committee to consider and prepare an Answer to the said Message against To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 9, 1761.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of Yesterday, reported, they had essayed a Draught for that Purpose, which they presented at the Table, and the same being read, and agreed to by the House, was ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The Answer of the House to the Governor's Message being transcribed, according to Order, was again read, signed by the Speaker, and is as follows, *viz.*

May it please your HONOUR,

WE return you our hearty Thanks for the Care you have taken in disbanding the Troops raised by this Province for the Service of the last Campaign, in Pursuance of the Law by which they were levied.

We have seriously deliberated on your Proposals that we should pay the Troops detained at *Forts Presque-Isle* and *La Beuf* longer than the Time limited by Law, and that of keeping up Garrisons at *Augusta* and *Allen*; but when we consider the great Opposition which has been lately given to the most generous and loyal Aids granted by our Predecessors for the Defence of the *British Colonies in America*; that those Aids were granted to his late most gracious Majesty at his special Instance by his Secretary of State; when we reflect on the Success which that Opposition has met with, and the precarious Circumstances to which the Bills of Credit struck, made current, and in a great Measure issued by the last Supply Bill passed by your Honour, are thereby reduced, we cannot think of entering into any new Engagements which may oblige us to strike more Bills of Credit, or even to issue more of those in the Fund than are absolutely necessary, and thereby involve the People we represent in still greater Difficulties.

If, may it please your Honour, the People of *Pennsylvania* have any Privileges at all, that of granting Aids to the Crown in such Manner as shall appear to them just and reasonable, is their undoubted Right. This Privilege we hold it our indispensable Duty, as far as in us lies, to preserve sacred and inviolate. And however our Predecessors have been heretofore obliged, through the most pressing Necessity, when the cruellest

Devastation was in the Land, and his Majesty's Colonies in imminent Danger, to wave it for a Time; yet now that Necessity is removed, we cannot consent to impose fresh Burdens on the People, without some Probability, at least, that the unjust Opposition which the Supplies heretofore granted have met with, will be waved, and the Aids offered accepted.—We dare not, Sir, issue Bills of Credit to the Subject as Bills of real Value, when their Value is most uncertain and precarious.

These Reasons, may it please your Honour, prevail on us at present to decline acceding to either of your Proposals of paying the Troops detained by the General longer than the Time limited by the Law, or of supporting Garrisons in the Forts *Augusta* and *Allen*; but as you have thought it expedient to keep up the latter till now, we are desirous you should fulfil your Engagements with them, and pay them off to the Time of their Discharge, which we request may be with all convenient Speed.

Signed by Order of the House,

January 9, 1761.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Morton* and Mr. *Ashbridge* wait on the Governor with the foregoing Message, and acquaint his Honour, that several Members being now in Town, who have not before appeared or been qualified since their Election, and the House having not yet been duly certified of the King's Death, they are under some Difficulty in regard to the Manner of qualifying the said Members, and therefore incline, with the Governor's Consent, to adjourn till *Monday* the Twenty-sixth Instant, presuming his Honour may, by that Time, have more authentic Accounts of the new King's Accession to the Throne.

A Petition from sundry Owners of improved Meadow Lands in the Township of *Kingsess*, was presented to the Chair, and read, praying Leave to bring in a Bill for the further Improvement and Security of the said Meadows.—

Ordered to lie on the Table.

A Petition from divers Inhabitants of *Tulpehocken* and *Heidelberg* Townships was presented to the House and read, setting forth, that in the Time of the late Depredations on the Frontiers, when the *Indians* were actually making Incursions on this Side the *Kittatinny Mountains*, and the Inhabitants flying with their Families into the interior Parts of the Province, the Petitioners, and others, to the Number of Thirty-two, entered into an Agreement to pay and support One Hundred

and Fifty Men for Forty Days, to range as Out-scouts on the Frontiers of *Berks* County, between *Lancaster* County Line and *Schuylkill*: That before the said Forty Days expired, the late Governor *Morris*, in the Presence of some of the Commissioners at *Reading*, promised that the said ranging Parties should be paid by the Government; and afterwards, at *Peter Kucher's*, ordered them to be kept up till further Orders from him; in Pursuance whereof, they were continued in the Service Thirty Days longer: That the Provincial Commissioners have thought proper to discharge only a Part of the Pay due to the said Rangers, in Consequence whereof, there still remains owing to them near *Four Hundred Pounds*, for which they now call upon the Petitioners; many of whom are poor Men, while others, in much easier Circumstances, who received equal Protection from the said Guard, refuse to contribute any Thing towards the Discharge of this Debt.—The Petitioners therefore pray the House would be pleased to take the Premises into Consideration, and by Act of Assembly, oblige such of the Inhabitants as are able, and were protected as afore-said, to contribute their Proportion towards Payment of the above Sum; or grant such other Relief, as they may think the Case requires.—

Ordered to lie on the Table.

A Representation from *Thomas Yorke*, *James Child*, *Daniel Rundle*, *Peter Chevalier*, jun. and *Enoch Story*, Commissioners for the Province Ship of War, was presented to the House and read, setting forth, that the Acts passed for granting to his Majesty a Duty of Tonnage, &c for Support of the said Ship of War, expired the Thirty-first of last Month, and that the Duties thereby arising are no longer collected.—That the Ship by the said Commissioners lately purchased, in Pursuance of one of the said Acts, remains unsold, at a considerable monthly Expence to the Public, daily growing of less Value, out of Repair, and without any Fund to support her: That although the said last mentioned Act does authorise and empower them to sell the said Ship at any Time after a Ratification of a Treaty of Peace, yet as such Event hath not happened, they conceive they have not Authority for that Purpose; and therefore pray the Legislature would enable them, by a special Law, to dispose of the said Ship with all convenient Speed, that their Accounts may be finally settled, or otherwise act therein, as they may judge proper.

Ordered to lie on the Table.

Upon Application by one of the Members, in Behalf of

Elizabeth Connelly, that certain Papers relating to Lands, laid by her, with a Petition, before the last Assembly, and left in Custody of the Clerk, may be delivered to *Joseph Way*, of this City, for the said *Connelly*;

Ordered, That the Clerk do deliver the said Papers accordingly, and take *Joseph Way's* Receipt for the same.

The Members appointed to wait on the Governor with the Answer of the House to his Message of Yesterday, and acquaint his Honour with their Inclination to adjourn to the Twenty-sixth Instant, reported they had done the same according to Order; and that the Governor was pleased to say, he had no Objections to their proposed Adjournment.

Then the House adjourned accordingly to *Monday* the Twenty-sixth Instant, at Four o'Clock in the Afternoon.

January 26, 1761.

The House met, pursuant to their Adjournment.

By a Return from the Sheriff of the County and City of *Philadelphia*, presented to the Chair and read, it appears, that *Samuel Rhoads* was duly elected, on the Thirteenth Instant, to serve in this Assembly as a Representative for the said City, in the Room of *William Masters*, Esq; lately deceased.

Ordered, That *Mr. Hunt* and *Mr. Wayne* wait on the Governor, and acquaint him, that the House are met pursuant to their Adjournment; and being of Opinion, that it will be necessary their Members should be again qualified, in Consequence of his Honour's late Proclamation of his present Majesty's Accession to the Crown, desire to know if the Governor hath any Thing to recommend to them on the Occasion.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 27, 1761.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had done the same according to Order, and that his Honour was pleased to deliver to them some Papers to be laid before the House, and to say he would have the House proceed to qualify their Members, in the usual Form, to his present Majesty King *GEORGE* the Third; after which he should have a Message ready to be sent down to them.

The Papers sent down from the Governor to the House, by the said Members, were a Royal Instruction, of the Thirty-first of *October* last, to his Honour, for making and enforcing the necessary Change in all Prayers, Litanies and Collects for

the Royal Family, to be used in Places of Worship through this Province; and a Notice from the Lords Commissioners of Trade, &c. to the Honourable the Proprietaries, *Thomas and Richard Penn*, Esquires, which were severally read, by Order of the House; and the said Notice from the Board of Trade follows in these Words, *viz.*

To our Loving Friends, THOMAS and RICHARD PENN, Esquires, Proprietaries of the Province of Pennsylvania.

AFTER our hearty Commendations—It having pleased Almighty God to take to his Mercy, out of this troublesome Life, our late Sovereign Lord King GEORGE the Second, of blessed and glorious Memory, and thereupon his Royal Majesty King GEORGE the Third being here proclaimed, we have thought fit to signify the same to you, to the End that you do give immediate Directions for proclaiming his Most Sacred Majesty King GEORGE the Third in the Province of *Pennsylvania*, according to the Form here inclosed, with the Solemnities and Ceremonies requisite on the like Occasions; and you are also to give the like Directions for publishing and proclaiming a Proclamation, herewith transmitted to you, for continuing the Officers in his Majesty's Plantations, till his Majesty's Pleasure shall be further signified—And so not doubting of your ready Compliance herein, we bid you heartily farewell.—

Your Loving Friends,

THO. CANT.	DENBIGH,
TEMPLE, C. P. S.	DUNK. HALIFAX,
GRANVILLE, P.	S. NUGENT."
GOWER,	

*From the Council Chamber, at Liecester House,
the Thirty-first Day of October, 1760.*

Mr. *Rhoads* and Mr. *Allen* this Day appearing in the House, for the first time since their Election as Representatives, took their Seats accordingly.

Copies of the Qualifications appointed by Law to be taken by Members of Assembly, and the Oath of Allegiance to his present Majesty King GEORGE the Third, being prepared and brought into the House, the same were taken and subscribed, first by Mr. Speaker in the Chair, and then at the Table by the rest of the Members present, in their Order.

Then the House adjourned to Three o'Clock, *P. M.*

Resolved, That this House will prepare and transmit, by the first Opportunity, an Address of Condolance to his present Majesty, on the late Death of his Royal Grandfather, and of Congratulation, on his own happy Accession to the Crown of *Great-Britain*.

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'SINCE your last Meeting I have received authentic Advices of the Death of our late most gracious Sovereign King GEORGE the Second of glorious Memory; and of the Accession of his present Majesty King GEORGE the Third to the Imperial Throne of his Ancestors, with the universal Applause of his People.

'When we reflect, Gentlemen, on the many amiable Virtues which shone forth so conspicuously in the Person of our late most excellent Monarch; when we take a Review of his Conduct throughout the Course of his long and glorious Reign, and find it always directed to the most noble and generous Purposes, either of aiding and supporting his faithful, but distressed Allies Abroad, or of securing the invaluable Blessings of Civil and Religious Liberty to his Subjects at Home; and when in a more especial Manner we call to mind the unbounded Protection he was graciously pleased to extend to these Colonies, ready to be overwhelmed by the Power and Ambition of our enterprising Neighbours on this Continent; it would argue the greatest Insensibility, as well as Ingratitude, were we not most deeply affected with Sorrow at so deplorable a Loss.

'Nor could any Thing alleviate the Grief which every good Subject must have felt upon this mournful Occasion, but the Consideration that the Sceptre hath devolved to a Prince, whose early Virtues, and known Affection to his People and native Country, give the most pleasing Assurance, that he will pursue, with Vigour, the same Measures, and tread the same Steps by which his illustrious Progenitor became formidable Abroad, and beloved and revered at Home.

'Filled with these agreeable Hopes, and moved with a Sense of its being our Duty, as well to condole with our new Sovereign on the Death of his late Royal Grandfather, as to congratulate his Majesty on his own happy Accession to the Throne of *Great-Britain*, the Council and I have resolved to transmit an Address to the King to that Purpose, by the first

Opportunity that shall offer; and if the House shall be inclinable to join in the said Address, the same, when prepared, shall be laid before them for their Consideration.

JAMES HAMILTON."

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 28, 1761.

The House resuming the Consideration of the Governor's Message of Yesterday, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Galloway*, Mr. *Rhodes*, Mr. *Wynkoop*, Mr. *Morton*, Mr. *Wright*, Mr. *Allen* and Mr. *Beeting* be a Committee to prepare an Answer to the said Message, and an Address to his present Majesty, pursuant to the Resolve of last Night.

The Governor, by Mr. Secretary, sent down to the House two written Messages, with some Papers referred to in one of them, which were severally read, and the said Messages are as they respectively follow, *viz.*

GENTLEMEN,

'I AM sorry to observe, by your Message of the Ninth Instant, that I have not been so fortunate as to obtain your Concurrence to either of the two Measures I recommended to you; and the more so, as I conceive the Honour of the Province may be affected by your rejecting the first of them, and its Safety, by your disagreeing to the other.

'Having mentioned, in my last Message, what seemed to me necessary at that Time on the Subject of the Troops detained to the Westward, and not being yet so well informed of the real Causes of their long Delay, as to enable me to speak to you more particularly about it, I shall content myself at present with saying, that as it is very unlikely to have happened through any Default of the Men, who are generally too apt to be impatient of the Service, but rather through some unavoidable Accident; I shall leave it to them, when they do appear, to make their own Application, and doubt not but the Justice of the House will incline them to do what is right upon the Occasion.

'It was with much Concern, as well as Surprise, that I perused the last Part of your Message, in which you declare yourselves against supporting the Garrisons at the Forts *Augusta* and *Allen*, and desire me to discharge them with all convenient Speed.—I have, nevertheless, however unlooked for such an Application might be, proceeded to execute your Re-

quest in Part, by having paid off and discharged the Garrison at Fort *Allen*; but, with respect to the other, I hope to be excused for telling you plainly, Gentlemen, that I could not think of taking, what appeared to me, so dangerous a Step, without offering my Reasons against, and giving you an Opportunity of re-considering the Case with the Attention it deserves.

'You will please to reflect that Fort *Augusta* is the most advanced, and indeed the only Post we now have on our Northern Frontiers, and, by commanding both Branches of the River *Susquehanna*, is admirably fitted, as well to facilitate our Communication and Commerce with our *Indian* Allies in Time of Peace, as to bridle them, and protect our *Indians*, in Time of War.

'That the Province though itself very happy in obtaining so easy and quiet a Possession of that important Post, without giving Umbrage to the *Indians*, from whom that Land had not been purchased; and that should it now be given up, the regaining of it, in Case of any future Rupture with those People, will probably be rendered very difficult, from their Experience of its Importance to us, and Disadvantage to themselves, at such a Juncture.—That a very great Sum hath been expended in erecting and finishing the said Fort, and that the same may be now maintained and kept in Repair by a small Garrison of Sixty or Seventy Men; whereas, should it be abandoned, and suffered to run to Ruin, the Province may shortly again be put to the same, or a much greater, Expence, in rebuilding it; not to mention that since the making the late Law for regulating the *Indian* Trade, from which such valuable Effects are universally hoped for to the Province, it seems absolutely necessary that some such Post should be maintained, as well for carrying on the good Purposes of that Law, as to make us respectable in the Sight of the *Indians*, to whom, in case we should now desert it, it is probable we may appear to be guilty of great Levity and Inconstancy in our Proceedings, and as designed to deprive them of the Benefit of an Act, said to have been obtained on their own earnest Request, without their having hitherto done any Thing that ought to lessen our good Intentions towards them.

'In Addition to all this, Gentlemen, you likewise please to consider, that we are still in the Midst of a raging War with one of the most powerful Princes in *Europe*; as also with numerous Tribes of Savages, who are desolating our Provinces to the Southward; and although it has pleased God to favour his

Majesty's Arms with an uncommon Course of Success, yet as the Events of War are ever uncertain and precarious, it is not impossible that some Chance or Accident may still happen in the Course of it, to raise the Spirits of the Enemy, and those of their *Indian* Allies, and induce them once more to have Recourse to Arms; more especially if, by any Means whatsoever, they may be able to draw to their Assistance other Nations of Northern and Western *Indians*, who, undoubtedly, do repine, whatever they may pretend, at seeing the Cause of the *French* brought so low, and consequently their own Independence into manifest Danger.

'These Reasons, Gentlemen, with many others, too long to enumerate, have induced me to defer disbanding the small Garrison at *Augusta*, till I might have the Opportunity of offering them to your Consideration.—I am in Hopes they will have the same Weight with you that they have had with me, and induce you to consent to the Supporting of that Garrison, at least till the Conclusion of a Peace, when the Dismissing of it will be attended with much less apparent Risk to the Province than at present.

'In respect to what you are pleased to mention, of an unjust Opposition having been made in *England* to your late Supply Bill, and of the Success it hath met with, I have very little to say—You are sensible that that Bill, agreeable to the Forms of our Constitution, was in the usual Manner presented to that Judicatory, which alone had the Right to determine it: You also very well know, that every Person who thinks himself aggrieved by any Bill passed in the Plantations, hath a Right to be heard in his own Behalf, before it is finally ratified as a Law.—This I understand to have been the Case in regard to the Bill you hint at.—Both Parties were fully and fairly heard upon its Merits, before the proper and established Judges in the last Resort; and, in Consequence thereof, his late Majesty was pleased, with the Advice of his Privy Council, to declare the said Bill to be fundamentally wrong and unjust, unless certain Alterations and Amendments were made therein.—How proper, therefore, it may be in you to call that an unjust Opposition, which has received the Countenance, Approbation, and final Decision in its Favour of so august a Judicatory, I shall leave to your own Reflections, without drawing from it those Inferences, which naturally offer themselves upon the Occasion; and conclude with acquainting you, that it is now in your Power to take off any further Opposition to that or any other of your Supply Bills, by

altering and amending them conformably to the Sentiments of his late Majesty and Council, and agreeable to the Stipulations entered into by your Agents in *England*.

January 28. 1761.

JAMES HAMILTON."

GENTLEMEN,

'HAVING received a Report of the Lords of the Committee of his late Majesty's most Honourable Privy Council, upon Nineteen Acts of Assembly, passed in the Province of *Pennsylvania*, in the Years 1758 and 1759; and his said late Majesty's Order of Repeal of six of the said Acts, I think it incumbent on me to lay them before you, in order that you may take Notice of them, and govern yourselves accordingly.

'You will please to observe, that one of the Acts, *viz.* the "Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit, in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all Estates real and personal, and Taxables within this Province," passed in April, 1759, was ordered by his said late Majesty to stand unrepealed, on a Proposal and express Stipulation made and entered into by the Agents of this Province, that the Assembly of *Pennsylvania* would prepare and pass, and offer to the Governor of the said Province of *Pennsylvania*, an Act to amend the afore mentioned Act, and make it conformable to the Sentiments of the Lords of the Committee aforesaid, as specified in the said Report.

'I shall only add at present, Gentlemen, that whenever you shall think proper to prepare and offer to me such a Bill, I shall think it my Duty to concur with you, by enacting it into a Law.

January 28, 1761.

JAMES HAMILTON."

Resolved, That every Member, who shall be absent from the House above Half an Hour after the Bell ceases to ring in the Fore- and Afternoon, shall be subject to a Fine of *One Shilling*, and that Mr. *Pearne* be hereby appointed to collect the said Fine for the Use of the *Pennsylvania* Hospital.

Ordered, That as soon as the said Member hath called over the List, in order to ascertain the Number of Absentees, and collect the said Fine, the Clerk do forthwith send for such as are wanting, till there be a Quorum met, and then give Notice thereof to the Speaker.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 29, 1761.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Twenty-seventh past, and an Address to his Majesty on his Accession to the Throne, reported, they had essayed Draughts for those Purposes, which they presented at the Table, and the same being severally read, the said Answer to the Governor's Message was agreed to, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

TRULY sensible of the great Loss which the *English* Dominions in general, and these Colonies in particular, have sustained in the Death of his late most excellent Majesty, we hold it our indispensable Duty to present to his Majesty an Address of Condolence on this affecting Occasion, and at the same Time to congratulate his Accession to the Imperial Throne of his Ancestors, which he has ascended with the universal Assent and Applause of an affectionate, loyal and united People; but as we apprehend that distinct Addresses from the different Branches of the Legislature, are not only supported by Precedents, but appear to us more dutiful in the Manner, we incline to address his Majesty separately, in Behalf of the People we represent.—Nevertheless, we beg Leave to return you our hearty Thanks for your kind Offer on this Occasion.

Signed by Order of the House,

January 29, 1761.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Chapman* and Mr. *Beeting* wait on the Governor with the foregoing Message, and deliver the same.

A Petition from *Edward Croston*, Agent Victualler, was presented to the House and read, setting forth, that being employed by the late Governor and Commissioners to supply the Garrisons on the Frontiers of this Province, and the *Indians* resorting to the same, with Provisions, before the Victualling thereof was undertaken by the Crown, he faithfully complied with his Contract, to the Satisfaction of all concerned; that when his Majesty was pleased to relieve the Province from that Burden, he continued still to supply the said Forts, and was satisfied for the same by the Commander in Chief of the King's Forces in the Year 1758;—that the Petitioner also continued in the said Office through the Year 1759, and was obliged, as usual, to employ a large Number of Battoemen for the Transportation of Provisions to Fort *Augusta*, for the Use of that Garrison, under an Expectation

of being paid for the same by the Crown, as in the preceding Year; but upon laying an Account of the Battoe Service aforesaid before the General, the same was totally rejected, on account of a large Quantity of Provisions which the Crown had supplied the Year before, and the Year 1759, to the said Garrison, which was expended by the *Indians* coming from *Wyoming*, and other Places; who the General alleged, ought to have been supported by this Province; by Means whereof the Petitioner is without any Recompence for the said Service, and therefore prays the House would be pleased to take the Premises into Consideration, and direct Payment of the said Account.

Ordered to lie on the Table.

A Petition from divers Inhabitants of *Berks* County, in and about the Town of *Reading*, was presented to the House and read, setting forth, that the Petitioners have not any Power or Privilege granted to them, more than the People have, who are settled up and down the Country:—That there are near Two Hundred and Fifty Families settled in the said Town, and for Want of Power to make By-Laws, or other Regulations for the Government of so many People living together, great Inconveniencies every Day arise:—That the Streets of the said Town have never yet been declared Highways; that they are deep and dangerous in many Places, and the Overseers of the Highways have no Power to oblige any Person to repair them:—That there is no Time fixed for holding a Market in the said Town, by means whereof the Inhabitants are not constantly supplied with fresh Provisions; and Forestalling, Regrating, and other Abuses, are daily committed, to the great Detriment of the People in general, both of the Town and Country:—That the Petitioners humbly apprehend a Fair, held twice a Year in the said Town, would be beneficial, by encreasing the Trade of the Town and Country about:—That, notwithstanding repeated Applications for that Purpose, no Person has yet been appointed Officer for regulating Weights and Measures in the said County;—the Petitioners therefore pray that the House would be pleased to take the Premises into Consideration, and make such Provision for remedying the Inconveniencies aforesaid as they in their Wisdom may judge necessary.

Referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Answer of the House to his Honour's Message of the Twenty-seventh Instant, reported, they had delivered the same ac-

cording to Order; and that the Governor was pleased to say, it was very well.

The House resumed the Consideration of their Address to his Majesty, which being again read, and some Alterations made therein, was agreed to, and ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 30, 1761.

The House resumed the Consideration of the Governor's Message of the Twenty-eighth Instant, with the Report of the Lords of the Committee of his Majesty's Privy Council, upon sundry Acts of Assembly of this Province, passed in the Years 1758 and 1759; which said Report being in Part read, they adjourned to Three o'Clock in the Afternoon.

A Petition from *William Cowden*, of *Paxton Township*, with the Affidavits of *Moses Dickey* and *Henry Rennick*, were presented to the House and read;—the Petition setting forth, that the said *Cowden* had lodged the Sum of *Fifty Pounds*, *Pennsylvania Money*, in the Hands of *Moses Dickey's* Wife for safe Custody; that the said *Dickey's* House and Wife, with others of the Family, being soon after destroyed by Fire, the said Sum of *Fifty Pounds* was lost in the Flames, and the Petitioner deprived of what he had been long earning with great Diligence in the Service of his King and Country, whereby he is become incapable of assisting his aged Parents, who had been driven from their Settlement by the late Incursions of the *Indians*; that the Notice shewn by the House to the Loss of the said *Dickey* from the same unhappy Accident, encourages the Petitioner to hope and apply for the like relief.

Ordered to lie on the Table.

A Memorial from *Samuel Neilson*, late Captain in the Province Service, was presented to the House and read, setting forth, that the Memorialist being ordered, in the Year 1758, to the back Parts of the County of *Northampton*, to range on the Frontiers, he continued in that Duty till called away to guard the Treaty at *Easton*, when he received the most extraordinary Command that perhaps ever was given under an *English* Government for impressing Waggons, which he was obliged to execute with great Fatigue, Odium and Expence; and instead of being allowed any additional Pay, was refused his Subsistence, and had *Twenty-one Pounds* of the Mens Subsistence stopped, without being even acquainted that his Account was wrong:—That his own Expences amounted to *Thirty-seven Pounds* during the Time he was employed in

that Duty, being obliged to maintain three Horses, for the more speedy and effectual Performance thereof:—That in the Year 1760, the Memorialist having the Command at four different Forts, *viz. Bedford, Juniata, Littleton and Loudoun*, with near seventy Miles of Road to make, he was moreover obliged, by Order from the General, to take upon him the Office of Paymaster to One Hundred and Sixty-two Men, the Number then under his Command, and paid them weekly, from no other Motive than the Good of the Service, as the Troops would otherwise have deserted in great Numbers: He therefore prays the House would be pleased to consider these extraordinary Services and Hardships, and make him such Compensation as they may think his Case deserves.

Referred to further Consideration.

The House resumed the Consideration of the Report of the Lords of the Committee of his Majesty's most honourable Privy Council, on sundry Acts of this Province, with his Majesty's Order of Repeal of six of the said Acts, which being severally read through, they adjourned to Ten o'Clock To-morrow Morning.

January 31, 1761.

The House resuming the Consideration of the Governor's Message, respecting the Support of a Garrison at Fort *Augusta*, together with the several Papers read Yesterday, after some Time spent therein, they adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 2, 1761.

Mr. Speaker, with One and Twenty Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

February 3, 1761.

Mr. *M'Connaughy* and Mr. *Blackburn*, Representatives for the County of *York*, this Day appearing in the House for the first time since their Election, were qualified as usual, and took their Seats accordingly.

The Petition of *William Cowden*, upon Motion, being again taken up, was, with the Depositions attending it, fully considered and the Prayer of the said Petition rejected upon the Question, by a great Majority.

Upon Motion the House resumed the Consideration of the Petition of *Edward Croston*, and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Memorial of *Samuel Neilson*, late Captain in the Provincial Service, and,

after some Time spent therein, the same was rejected upon the Question, by a great Majority.

The Address of the House to his Majesty on his Accession to the Throne, being transcribed according to Order, was again read, signed by the Speaker, and follows in these Words, *viz.*

To the KING'S Most Excellent MAJESTY,
The humble ADDRESS of the REPRESENTATIVES of the FREE-
MEN of the Province of *Pernsylvania*, in
General Assembly met.

Most Gracious SOVEREIGN,

WE, your Majesty's most dutiful and loyal Subjects, the Representatives of the Freemen of the Province of *Pennsylvania*, in General Assembly met, humbly beg Leave to condole with your Majesty on the great Loss which this Province, and every other Part of the *British* Dominions, however remote, have sustained by the sudden and unexpected Death of our late most excellent Sovereign; whose Reign, though eminently glorious and successful against the Enemies of his Kingdoms and People, has not been more distinguishable for its military Glory and Renown, than for a just Regard to the Laws of the Land, and a mild and paternal Rule over his Subjects.

Under so affecting a Loss, nothing could tend to alleviate our Concern more than the pleasing Prospect, which your Majesty's princely Virtues, Wisdom and Justice afford your People, of their future Happiness, in the Enjoyment of their just Rights and Liberties; together with those early Measures, which you have been graciously pleased to take for the Suppression of Vice and Immorality, and the Promotion of Piety and Virtue in your Realm. These, gracious Sir, added to that Duty which we indispensably owe to your Majesty, mitigate our Sorrow, and induce us, with the utmost Sincerity and Affection to congratulate your Majesty's Accession to the Imperial Throne of your illustrious Ancestors, and humbly to assure your Majesty of our most cordial Zeal for the Glory and Happiness of your Reign, and our inviolable Fidelity and Attachment to your Royal Person and Government.

May the united Affection of your Subjects await your Royal Throne, and the great Disposer of Kings and Kingdoms render your Majesty's Reign over a free, loyal and affectionate People long, happy and glorious.

Signed by Order of the House,

February 3, 1761.

ISAAC NORRIS, *Speaker."*

Ordered, That a Copy of the foregoing Address be transmitted to the Agents by the first Opportunity, and that a Duplicate thereof be sent by the next Conveyance, in order to be presented to his Majesty.

The House then resumed the Consideration of the Governor's Message of the Twenty-eighth *ult.* sent down with the late King's Order of Repeal of six Acts of this Province, and, after a considerable Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

February 4, 1761.

The House resuming the Consideration of the Governor's Message of the Twenty-eighth *ult.* together with the Report of the Lords of Trade on sundry Acts of this Province, and his late Majesty's Order of Répeal of six of the said Acts, after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Rhoads*, Mr. *Chapman*, Mr. *Ashbridge*, Mr. *Carpenter*, Mr. *Blackburn*, Mr. *Allen*, Mr. *Potts* and Mr. *Beeting* be a Committee to collect and consider the State of the Proprietary Taxation through the several Counties of this Province, and report the same to the House.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from the Bakers of the City of *Philadelphia* was presented to the House and read, setting forth, that the Act to regulate the Assize of Bread, passed in the Twenty-fifth Year of his late Majesty's Reign, being expired, and the Want thereof likely to subject the Petitioners to great Inconveniency, they pray the House would be pleased to renew and continue the said Act. *Ordered to lie on the Table.*

The House resumed the Consideration of the Governor's Message, relating to the Continuance of a Garrison at *Fort Augusta*, at the Expence of this Province, and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

February 5, 1761.

The House proceeding in the Consideration of the Governor's Message, concerning the Support of a Garrison at *Fort Augusta*, after further Debate thereon, adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Governor's Message taken up in the Morning, and, after some Time spent therein, the following Questions were severally put, *viz.*

First, Whether the House will agree to support a Garrison at *Fort Augusta*?

Carried in the Affirmative.

Secondly, Whether the said Garrison shall consist of Thirty Men, to be continued in the Pay of this Province till the Tenth Day of *September* next?

Carried in the Affirmative.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 6, 1761.

The House taking into Consideration the Ways and Means of defraying the Expence of the small Garrison resolved to be supported at Fort *Augusta*, after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Petition from sundry Owners of Meadow Lands in the Township of *Kingsess*, and, after some Time spent therein,

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose mentioned in their said Petition.

The House then proceeded to the Consideration of the Petition from the Bakers of the City of *Philadelphia*, and, after some Debate thereon,

Ordered, That Mr. *Leech*, Mr. *Galloway*, and Mr. *Hughes* be a Committee to prepare and bring in a Bill for regulating the Assize of Bread, pursuant to the Prayer of the said petition.

Ordered, That Mr. *Roberdeau*, Mr. *Pearne* and Mr. *Morton* be a Committee to examine into the State of the several Petitions and Matters referred by the last Assembly to the Consideration of this House, and report the same accordingly.

A Petition from *John Gardner*, of *West Nantmel* Township, in the County of *Chester*, was presented to the House and read, complaining of the Injustice of *John Culbertson*, Esq; a Magistrate of the said County, who having given Judgment in a Plea of Debt against *Paul Church*, in Favour of the Petitioner, did afterwards, upon a further Hearing of the said *Church*, and the Evidence of one *M'Clure*, in the Absence of the Petitioner, reverse the said Judgment, and ordered the Petitioner to pay the Sum of *One Pound Seventeen Shillings* Debt, and *Fourteen Shillings* and *Nine-pence* Cost, to the said *Church*. *Ordered to lie on the Table.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 7, 1761.

The Committee appointed to examine into the State of the several Petitions and Matters referred by the last Assembly to the Consideration of this House, made their Report in

Writing, which they presented at the Table, and the same being read, follows in these Words, *viz.*

WE the Committee appointed to enquire into the Petitions and other Papers recommended by the last Assembly to the Consideration of this House, report,

That upon Examination we find a Petition from a great Number of the Inhabitants of the County of *Bucks* against erecting Dams, Wears, Baskets and other Devices, for catching Fish in the River *Delaware*, as the Navigation of the said River is thereby much obstructed.

A Bill for vesting the State-house, and other public Buildings, with the Lots whereon the same are erected, in Trustees for the Use of the Province, once read by the former Assembly.

A Bill for empowering the Reverend Mr. *Hugh Neill*, and others, to dispose of the Glebe Lands belonging to *Oxford Church*, once read by the former Assembly.

Also the Report of the Commissioners appointed to view the River *Schuylkill*, in order to render the same navigable.

These appear to your Committee to be the only Matters left unfinished, or referred by our Predecessors to the Notice of this House.

RICHARD PEARNE,
DANIEL ROBERDEAU,
JOHN MORTON."

The Committee appointed to prepare and bring in a Bill to enable the Owners and Possessors of the Northern District of *Kingsess Meadow Land*, in the County of *Philadelphia*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being once read, was ordered a second Reading.

The Committee appointed to prepare and bring in a Bill for regulating the Wages of Waggoners, Carters, Draymen and Porters in the City of *Philadelphia*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The House taking into Consideration the foregoing Report of the Committee appointed to examine into sundry Petitions, &c. recommended to their Notice by the last Assembly,

Ordered, That Mr. *Galloway*, Mr. *Rhoads*, Mr. *Wynkoop*, Mr. *Gibbons*, Mr. *Wright*, Mr. *Blackburn*, Mr. *Potts* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for

preventing the building Dams, Wears, and other Devices in the River *Delaware*, for catching of Fish.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 9, 1761.

The House met, pursuant to Adjournment.

A Petition from sundry Persons, Owners and Possessors of a Piece of drained Meadow Ground, in the Township of *Ridley*, in the County of *Chester*, was presented to the House and read, praying Leave to bring in a Bill for the better Regulation and further Improvement of the said Meadow.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 10, 1761.

The House resuming the Consideration of the Petition from sundry Owners of Meadow Land in the Township of *Ridley*, in the County of *Chester*,

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose mentioned in their said Petition.

A Petition from Sundry Soldiers, late in the Provincial Service, was presented to the House and read, praying two Months additional Pay, in Consideration of their having been detained so much longer on Duty than the Term of their Enlistment.

Ordered to lie on the Table.

A Petition from Numbers of Inhabitants in different Parts of the Province was presented to the House and read, setting forth, that great Advantages must arise to the Public from making the River *Schuylkill* navigable; that the Petitioners apprehend the same may be effected at a moderate Expence from the Blue Ridge of Mountains, above the Town of *Reading*, to the City of Philadelphia; that they have collected Subscriptions to a considerable Amount for that Purpose, and expect, in a short Time, to make up a sufficient Sum to defray the Expence of such an Undertaking, and therefore pray the House would be pleased to appoint proper Persons to view the Rocks, and other Obstructions to the Navigation of said River, and for making an Estimate of the Expence of removing the same; also to collect and take Accounts of the Subscriptions of all such Persons as may further contribute thereto, in order that the same be laid before this House.

The Provincial Commissioners presented at the Table an Account from the Overseers of the Poor of the City of *Philadelphia*, for Maintenance of the late Inhabitants of *Nova Scotia*, in the said City, from the First of *October* last, amount-

ing to *Four Hundred and Sixty-nine Pounds Six Shillings and Six-pence*; and representing that the said People, who have, for several Years past, been a very heavy Expence to the Province, are likely to become a greater Burden in future, unless some Measures be fallen upon for disposing of them in a different Manner; the House took the same under Consideration, and, after some Time spent therein,

Ordered, That Mr. Rhoads, Mr. Leech, Mr. Gibbons, Mr. Knight Mr. Wright, Mr. M'Connaughy, Mr. Allen, Mr. Potts and Mr. Beeting be a Committee to enquire into the Number and State of the said late Inhabitants of *Nova Scotia*, and report to the House their Opinion of the best Method of lessening the said Expence to the Province.

Upon Motion,

The Bill for enabling certain Trustees to sell Lands settled in Trust for the Use of the Minister of *Oxford Church, &c.* once read by the last Assembly, and recommended to the Consideration of this House, was taken up, and read the first time.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for regulating Porters, Drayman, Carters and Waggoners within the City of *Philadelphia*; which being in Part read the second time, and debated, they adjourned to Ten o'Clock To-morrow Morning.

February 11, 1761.

The House again took up the Bill for regulating Waggoners, Carters, Draymen and Porters in the City of *Philadelphia*; which being further read, and debated by Paragraphs, they adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for regulating Waggoners, Carters, Drayman and Porters within the City of *Philadelphia*; which having been read through the second time, and debated, was ordered to be transcribed for a third Reading.

The House then taking into Consideration, that it might be necessary to inform the Governor of their Resolution, in Pursuance of his Message respecting the Continuance of a Garrison at *Fort Augusta*,

Ordered, That Mr. Carpenter and Mr. Allen wait on the Governor, and acquaint him, that the House have resolved to continue Thirty Men in Pay of this Province, for a Garrison at the said Fort, till the Tenth Day of *September* next.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 12, 1761.

The Members appointed to wait on the Governor with the Message of last Night, reported they had delivered the same according to Order; and that his Honour was pleased to say, it was very well.

The Bill for regulating Waggoners, Carters, Drayman and Porters within the City of *Philadelphia*, being transcribed, was read the third time, and compared.

Then the House adjourned to Four o'Clock, *P. M.*

The House resumed the Consideration of the Petition of sundry Soldiers, late in the Service of this Province, for two Months additional Pay, on account of their having been detained by the General so much longer on Duty than the Term of their Enlistment, and, after some Debate thereon, referred the Case of the Petitioners to the Consideration of the Governor and Provincial Commissioners.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 13, 1761.

A Remonstrance from a great Number of Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth the mischievous Consequences attending the Practice of importing Slaves into this Province, and praying a Law to prevent or discourage such Importation for the future.

Ordered to lie on the Table.

The House resumed the Consideration of the Representation from the Commissioners for the Provincial Ship of War, and, after some Debate thereon,

Ordered, That Mr. *Fox*, Mr. *Rhoads*, Mr. *Wynkoop*, Mr. *Wright* and Mr. *Allen* be a Committee to prepare and bring in a Bill to enable the said Commissioners to make Sale or dispose of the said Ship of War.

Pursuant to Leave from the House to bring in a Bill for enabling the Owners of drained Meadow Land, in *Ridley* Township, *Chester* County, to keep the Banks, Dams, Sluices, &c. in Repair, a Draught for that Purpose was presented to the Chair, and read the first time.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill to enable certain Trustees to sell Lands in the County of *Philadelphia*, for the Use of the Minister of *Oxford* Church, &c. which being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 14, 1761.

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

‘WITH my Message of the Twenty-eighth of *January* last I laid before you his late Majesty’s Order in Council, containing a Repeal of six Acts of Assembly, passed in this Province in the Year One Thousand Seven Hundred and Fifty-nine.

‘At the same Time I laid before you the Report of a Committee of his Majesty’s most Honourable Privy Council, with respect to one other Act, entituled, “*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all Estates, real and personal, and Taxables within this Province.*”—By which said Report it appears that your Agents in *England*, in order to prevent the Repeal of the said Act, at that Time did propose and undertake, by an Agreement signed by them in the Books of the Council-Office, that in case the said Act should not be repealed, the Assembly of *Pennsylvania* would prepare, pass and offer to the Governor of this Province an Act to amend the aforementioned Act, according to the Amendments proposed in the Report of the Lords of the Committee of Council now lying before you. In Consequence of which Engagement, and a Representation made to him by the Lords of the said Committee, that he might safely rely on this Undertaking for the Assembly by their Agents, his said late Majesty was graciously pleased to permit the said Act to stand unrepealed.

‘And I acquainted you in my said Message, that whenever you should think proper to prepare and offer to me such a Bill, I should be ready to concur with you in it, by enacting it into a Law.

‘But as I have received no Answer from you on this Head, and am under the Necessity of transmitting an Account to *England* as early as possible, whether you will or will not comply with the Engagement your Agents have entered into on your Behalf, I must press you to take this Matter into your immediate Consideration, and acquaint me with your Determination thereon.

February 14, 1761.

JAMES HAMILTON.”

The House taking into Consideration the foregoing Message, after some Debate thereon,

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Galloway*, Mr. *Rhoads*, Mr. *Wright*, Mr. *M^cConnaughy* and Mr. *Allen* be a Committee to prepare and bring in an Answer to the said Message against the next Meeting of the House.

The Committee appointed to prepare and bring in a Bill to enable the Commissioners for the *Pennsylvania* Frigate to make Sale thereof, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Committee appointed to prepare and bring in a Bill for regulating the Assize of Bread, reported, they had essayed a Draught for that Purpose, which they presented at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 16, 1761.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

February 17, 1761.

The Bill to enable certain Trustees to sell Lands in the County of *Philadelphia*, for the Use of the Minister of the Church at *Oxford*, &c. being transcribed according to Order was read the third time, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Fourteenth past, reported a Draught for that Purpose, which being read, and agreed to by the House, was transcribed at the Table, and follows in these Words, *viz.*

May it please your HONOUR,

AFTER we had considered the Matters recommended to us in your Message of the Twenty-eighth of *January* last, respecting the Service of the Crown, and the Defence of the Province, we immediately proceeded upon the Consideration of your other Message of the same Date, relating to the Engagements entered into by our Agents in the Council Books; but as the Matters contained in those Engagements are of such a Nature as to require a Disquisition into a Number of Facts, in order to enable us to form a Judgment of what may be proper to be done therein, and of the Manner of doing it, a Committee was immediately appointed to make the necessary Enquiries, and to report the same to the House: This Committee, though

they have made a considerable Progress in the Business referred to them, have not been able, as yet, to make their Report, but as soon as that shall be done, and the House have come to a Determination thereon, your Honour shall be made acquainted with our Resolutions on this Head.

Signed by Order of the House,

February 17, 1761.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Ash and Mr. Saunders wait on the Governor with the foregoing Message, and deliver the same.

The House then resumed the Consideration of the transcribed Bill, read the third time in the Forenoon, and, after some Debate thereon, the Question being put, Whether the said Bill shall pass the House? The same was resolved in the Negative unanimously.

Ordered, That Mr. Fox, Mr. Leech, Mr. Hughes, Mr. Rhoads, Mr. Wynkoop and Mr. Wayne be a Committee to prepare and bring in a new Bill, more agreeable to the Sentiments of the House, to enable certain Persons to make Sale of Lands in the County of *Philadelphia*, in Trust for the Use of the Minister of the Church of *Oxford*, &c.

The House then proceeded to the Consideration of the Bill for empowering the Commissioners of the Provincial Ship of War to dispose of the said Ship, and, after a considerable Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

February 18, 1761.

The Members appointed to wait on the Governor with the Answer of the House to his Message of the Fourteenth Instant, reported, they had delivered the same according to Order; and that his Honour was pleased to read the said Answer before them, and say, it was very well.

The House resumed the Consideration of the Bill to enable the Commissioners of the Provincial Ship of War to dispose thereof, which being read the second time, was ordered to be transcribed.

The Committee appointed to prepare and bring in a new Bill to enable certain Persons to sell Lands in the County of *Philadelphia*, settled in Trust for the Use of the Minister of *Oxford* Church, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Bill for regulating the Assize of Bread, which being read the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill to enable Messieurs *Thomas Yorke, James Child, Daniel Rundle, Peter Chevalier, jun. and Enoch Story* to sell the Provincial Ship of War, being transcribed, was read the third time, and compared,

Resolved, That the said Bill do pass.

The House resumed the Consideration of the Bill to enable the Owners and Possessors of the Northern District of *Kingsess Meadow Land*, in the County of *Philadelphia*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. and having in Part gone through the second Reading thereof, adjourned to Ten o'Clock To-morrow Morning.

February 19, 1761.

The House resumed the Bill to enable the Owners and Possessors of the Northern District of *Kingsess Meadow Land* to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The Petition from a Number of Inhabitants in different Parts of the Province for rendering the River *Schuylkill* navigable, presented to the House on the Tenth Instant, was again read, together with the Report of the Committee appointed to examine into the several Matters referred by the last Assembly to the Consideration of this House; whereupon the House do find that the Prayer of the aforesaid Petition, which is verbatim the same with that presented to the preceding Assembly, is, in some Measure, answered, as appears by the above-mentioned Report on the Seventh Instant, and that nothing remains to answer the Intentions of the Petitioners, but a Law to empower suitable Persons to receive such voluntary Subscriptions as are or may be made for the Purposes aforesaid, and to do such other Acts and Things as may render the said River navigable. It was therefore

Ordered, That Mr. *Leech, Mr. Galloway, Mr. Hughes, Mr. Rhoads, Mr. Knight, Mr. Wayne, Mr. Wright, Mr. Blackburn, Mr. Potts and Mr. Beeting* be a Committee to prepare and bring in a Bill for those Purposes.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for regulating the Assize of Bread being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

The House then took up the transcribed Bill for regulating

Waggoners, Carters, Draymen and Porters within the City of *Philadelphia*, which was again read, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Boyd* and Mr. *M'Connaughy* do wait on the Governor with the said two Bills, and the Bill to enable *Thomas Yorke*, *Daniel Rundle*, *James Child*, *Peter Chevalier*, jun. and *Enoch Story* to sell the Provincial Ship of War, for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 20, 1761.

The Members appointed to wait on the Governor with the three Bills sent up last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them into immediate Consideration.

The House resumed the Consideration of the Remonstrance from divers Inhabitants of the City of *Philadelphia*, praying the Aid of a Law to discourage the Practice of importing *Negroe* Slaves into this Province, and having spent some Time therein,

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Rhoads*, Mr. *Wynkoop*, Mr. *Morton*, Mr. *Carpenter*, Mr. *M'Connaughy*, Mr. *Potts* and Mr. *Beeting* be a Committee to prepare and bring in a Bill for the said Purpose.

The House then took up the Bill to enable certain Trustees to make Sale of Land in the County of *Philadelphia*, in Trust for the Use of the Minister of *Oxford Church*, &c. which being read through the second time, and debated, was ordered to be transcribed for a third Reading.

The House proceeded in the Consideration of the Bill to enable the Owners of Meadow at the Mouth of *Darby Creek*, in the Township of *Ridley*, to keep the Banks, Dams, Sluices, &c. in Repair, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

An Account from *Nicholas Scull*, Surveyor General, was presented to the House and read, Amount *Seventy-one Pounds Sixteen Shillings* and *Six-pence*, for Services and Disbursements in Behalf of the Province, pursuant to the Act for recording Warrants and Surveys, &c. passed in the Year 1759;—and the same being considered and allowed, an Order was

drawn at the Table on the Trustees of the General Loan-Office for the said Sum, and signed by Mr. Speaker, by Order of the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 21, 1761.

The Bill, entituled, "*An Act to enable certain Trustees to sell Lands in the County of Philadelphia, in Trust for the Use of the Minister of Oxford Church,*" &c.—And the Bill, entituled, "*An Act to enable the Owners and Possessors of the Northern District of Kingsess Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair,*" &c. being transcribed, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. Fox and Mr. Rhoads wait on the Governor with the said Bills, for his Assent to the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 23, 1761.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the two Bills passed by the House on *Saturday*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take them into immediate Consideration, and give them all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 24, 1761.

The Committee appointed to prepare and bring in a Bill for laying a Duty on the Importation of *Negroes* and other Slaves into this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered a second Reading.

The Bill, entituled, "*An Act to enable the Owners and Possessors of the Meadows at the West Side of the Mouth of Darby Creek, by the River Delaware, in the Township of Ridley, in Chester County, to keep the Banks, Dams, Sluices and Floodgates in Repair,*" &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Webb and Mr. M^cConnaughy wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill passed by the House in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Governor, by Mr. Secretary, returned to the House three Bills, lately sent up for his Concurrence, entitled as follow, viz. "*An Act to regulate the Assize of Bread.*"—"An Act to enable certain Trustees to sell Lands in the County of Philadelphia, in Trust for the Use of the Minister of Oxford Church," &c. And, "*An Act to enable the Owners and Possessors of the Northern District of Kingsess Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair, and to raise a Fund to defray the Expence thereof;*"—and acquainted the House, he should be ready to pass the same when presented to him for that Purpose.

The Secretary likewise brought down the Bill, entitled, "*An Act for regulating Waggoners, Carters, Draymen and Porters within the City of Philadelphia, and for other Purposes therein mentioned,*"—with some Amendments from the Governor on the said Bill, which being read, and considered, were agreed to by the House, and the said four Bills ordered to be engrossed.

Mr. Rhoads, by Direction of the Managers of the *Pennsylvania* Hospital, presented to the Chair an Account of the Stock, Expences, &c. of the said Hospital, which was read by Order, and is as follows, viz.

WE, the Committee appointed by the Board of Managers of the PENNSYLVANIA HOSPITAL to adjust the Accounts of the preceding Year, Do REPORT,

That the Treasurer, Hugh Roberts, on Account of the Capital Stock, Credits,

For the Balance remaining in his Hands, the Fifth of Fifth Month, 1759,				£	717	6	0	
And for Cash received from sundry Contributors, viz.								
Jephtha Lewis,	£	10	0	0	Brought forward, £	460	19	0
William Allen, additional, ...	100	0	0	0	William Denny, Esq;	103	15	0
Charles Osborne, additional,	75	0	0	0	James Hamilton, Esq;	100	0	0
Robert Hamilton, from Manchester, ..	20	0	0	0	Samuel Lloyd,	15	0	0
John Scott,	20	0	0	0	Joseph Jones, of Plymouth,	10	0	0
Benjamin Morgan, ..	20	0	0	0	Joseph Warner, Boat-builder,	10	0	0
Joshua Howell, additional,	20	0	0	0	Samuel Powell, 80 Pistoles,	108	0	0
Robert Dixon,	10	0	0	0	John Ord,	10	0	0
John Carsan,	6	0	0	0	William Iblson, ...	10	0	0
John Franks,	25	0	0	0	Daniel Wistar, ...	20	0	0
Thomas Robinson, Merchant,	10	16	0	0	Nathan Zane,	10	0	0
A. B. by Hands of A. Lunan,	8	3	0	0	Henry Cryder, of Coclico Township, a Legacy, in Part, ..	20	0	0
Matthias Gensle, ..	10	0	0	0	James Murgatroyd, ..	10	0	0
William Fisher, ...	10	0	0	0	Jacob Winey,	10	0	0
Richard Blackham, ..	10	0	0	0	William Neate of London,	100	0	0
Richard Swan,	1	0	0	0	Robert Tuite,	20	0	0
William Clamper, ..	15	0	0	0	James Child,	10	0	0
William Attwood, ..	50	0	0	0	Walter Shea,	15	0	0
Barnabas Shute, ...	30	0	0	0	Henry Ashe,	10	0	0
Samuel Noble,	10	0	0	0	Stephen Shewell, ..	20	0	0

Carried forward, £ 460 19 0 £ 1,072 14 0

And for Cash received of Joseph Wharton, in Lieu of the Ground-rent he formerly gave, which is now re-assigned him,	50	0	0
And for Cash received of Peter Dicks and Company in full of their Bond and Mortgage,	300	0	0
	£ 2,140	0	0

And he Debits,

For Cash lent A. B. on Interest, as by his Bond and Mortgage, dated the Eleventh of August, 1759, Five Hundred and Twenty Pistoles,	£	702	0	0
So that the Balance due from him, on Account of the Capital Stock, is		1,438	0	0
	£ 2,140	0	0	

And on Account of Interest Money the said Treasurer Debits,

The Balance due to him, on Account settled the Fifth of Fifth Month, 1759,	£	805	13	3½
Cash paid the Matron, by ten Orders of the Managers, Paid the Balance due to Sylvanus and Timothy Bevan, of London, for Medicines, &c. Fifteen Pounds Eighteen Shillings Sterling, at Fifty per Cent.		630	0	0
Paid for Cloathing provided for Peter Operting,		23	17	0
Paid James Bayard, one Year's Salary, as Apothecary, 1759,		2	13	1
		15	0	0
Debit carried over,	£ 1,477	3	4½	

Debit brought over, £ 1,477 3 4½

And on the same Account he Credits,

Cash received from sundry Contributors,		
Interest of their Notes,	£	140 0 11
From the Borrowers of Money lent, ..		195 7 0
From William Allen,		
his annual Subscription, 1759,	£	12 0 0
John Pearson, two		
Years Rent of Isaac		
Norris's Annuity, due		
the 25th of Third		
Month, 1759,		12 0 0
Willham Vanderspeigle,		
two Years Annuity,		
1759 and 1760,		2 0 0
	£	26 0 0
From Anna Maria Opert-		
ing, in full of the		
Share of her Son John		
Peter, of his Father's		
Estate,	£	26 9 2
And for the Share of her		
Son Abraham, of his		
Father's Estate,		51 8 0
	£	77 17 2
The said John Peter and Abraham being		
both Lunatics, the Money is lodged		
with the Managers, to provide them		
Cloathing; and if they die before the		
Whole is expended, what remains is		
to be carried to the Account of the		
Capital Stock of the Hospital.		
And the Balance due to him on this		
Account, is	£	1,037 18 3¼
		£ 1,477 3 4½

And on the Account of the Stock appropriated towards the Building, the said Treasurer Debits,

For Cash paid sundry Persons, by the		
Orders of the Managers, and in full		
of sundry Accounts allowed by the		
Managers,	£	420 5 6
Paid Obadiah Eldridge for eighteen		
Leather Buckets, six of them marked		
as the Gift of the Union Fire-Com-		
pany; twelve as the Gift of the		
Friendship Fire-Company; in Pur-		
suance of their Directions, when they		
contributed towards a Fire-Engine, &c.		9 18 0
	£	430 3 6

And he Credits,

The Balance remaining in his Hands on		
this Account, the Fifth of Fifth		
Month, 1759,	£	70 4 10
Cash received of the Provincial Treas-		
urer. by Orders of the Signers of One		
Hundred Thousand Pounds, Bills of		
Credit, issued in 1759,		135 0 0
Received of the Trustees of the Loan-		
Office, by Orders of the Signers of		
the Thirty-six Thousand Six Hundred		
and Fifty Pounds, issued to lend Gen-		
eral Stanwix,		21 19 6
Received of Plunket Fleeson, Balance		
of his Contribution,		6 0 0
Received of Richard Parker, towards		
paying the Quit-rents of the Part of		
the Hospital Lot bought of him and		
his Brothers,		3 0 0
Received of Samuel Emlen, by Discount		
with T. Gilpin, for twelve Windsor		
Chairs, given for the Managers Room,		9 12 0
For sundry Stones, &c. some Time since,		1 4 0
So that there is a Balance due to him		
on this Account,		183 3 2
	£	430 3 6

And we do further Report, That on the General State of the
Accounts, *Capital Stock of the* PENNSYLVANIA HOSPITAL,

Dr.

Cr.

To 124 Bonds due from sundry Contributors, ..	£ 1,542 6 8
To 14 Subscriptions for which Bonds are not yet given,	84 0 0
To 8 Bonds, with Land Securities, for Money lent on Interest, ...	3,252 0 0
To Deeds in the Treasurer's Hands for a Lot near Germantown, and an Annuity of Six Pounds,	124 0 0
	<hr/>
	£ 5,002 6 8
To Balance, remaining, which ought to be at Interest,	1,438 0 0
	<hr/>
	£ 6,440 6 8

By Amount of Contributions before the Settlement in 1759,	£ 5,497 12 8
By short Credit in one of said Contributions,	5 0 0
By 31 Contributions this Year,	937 14 0
	<hr/>
	£ 6,440 6 8

Stock appropriated towards building the HOSPITAL.

Dr.

Cr.

To Cash paid for Furniture, &c. from 1752 to 1759, including House-rent to 1757,	£ 487 3 3½
To Cost of the Lot on which the Hospital is erected,	500 0 0
To Amount of all Accounts for Building, &c. adjusted 1759, .	4,033 11 0
To Cost of Furniture, &c. now adjusted,	91 7 7
To Amount of Accounts paid this Year,	420 5 6

By Cash granted by the Assembly of the Province, with Interest received for it to 1756,	£ 2,598 0 0
By Amount of Contributions and Legacies from private Persons, before Accounts settled in 1759,	2,759 7 10
By Cash of the Treasurer, and Trustees of the Loan-Office, by Orders of the Signers of Bills of Credit, 1759, .	153 19 6
By Cash of Richard Parker, on Account of the Quit-rents due before the Lot was bought, ...	3 0 0
By Cash of Plunket Fleeson, Balance of his Contribution, ..	6 0 0
By Cash of Hugh Roberts, for some Stones in 1756,	1 4 0
	<hr/>
	£ 5,319 11 4
By Balance, being so much more than is yet received,	212 16 0½
	<hr/>
	£ 5,532 7 4½

£ 5,532 7 4½

£ 5,532 7 4½

Dr.

To Balance of Account adjusted the Fifth of Fifth Month, (May) 1759, — — —	£ 880 16 0½
To Provisions, Fire-wood and Wages, from 1759 to 1760, — — —	714 1 7½
To the Apothecary's Salary, one Year, due 1759, — — —	15 0 0

£ 6 09 17 8½

The foregoing Accounts were examined, and the Lists of Bonds, Mortgages and Subscriptions therein referred to, were compared with the Originals, which, with the Deeds for the House and Lands mortgaged for the Money lent out on Interest, and the Deeds for the Lot and Annuity granted to the Contributors to the Pennsylvania Hospital, and the Seal and Screw thereunto belonging, were found remaining in the Hands of *Hugh Roberts*, the Treasurer, the Fifth of Fifth Month, 1760.

By Interest-money received from the Contributors, — — —	£ 140 0 11
By Ditto from the Borrowers of Money lent, — — —	195 7 0
By Cash for Annuities, — — —	26 0 0
By Ditto for boarding Pay Patients, — — —	118 2 10
By Ditto from sundry Charity-Boxes, viz.	
The Hospital's, — — —	£ 14 10 5
The Assembly's, — — —	0 9 6
Judge Coleman's, — — —	4 6 3
Isaac Jones Esq; — — —	14 10 1
John Reynell's, — — —	1 5 6
Israel Pemberton's, — — —	2 1 0
Several Juries, — — —	1 8 9
	£ 38 11 6

By Cash from Anna Maria Operating, the Share of her Son John Peter, — — —	£ 26 9 2
and of her Son Abraham, — — —	51 8 0
	£ 77 17 2

of their Father's Estate, which she hath delivered with her two Sons, being both Lunatics, to the Care of the Managers of the Hospital.

Balance expended more than the Income of our Funds, — — —	£ 595 19 5
	1,013 18 3½
	£1,609 17 8½

(sic)
 ISRAEL PEMBERTON,
 THOMAS GORDON."

ABSTRACT of CASES of Patients in the PENNSYLVANIA HOSPITAL, from the 28th of Fourth Month, 1759, to the 28th of Fourth Month, 1760.

DISEASES.	Admitted.	Cured.	Relieved.	Incurable.	Escaped.	Taken out, or discharged, for Irregularity.	Died.	Remain.
Agues,	2	2	...	...	...	...	...	...
Asthma,	1	1	...	...	...	...	...	...
Burn,	1	1	...	...	...	...	...	...
Cancers,	2	1	1	...	...	...	...	...
Contusions,	2	2	...	...	...	...	...	...
Consumptions,	1	...	...	...	...	...	...	1
Convulsions,	1	...	1	...	...	...	...	...
Cough,	1	...	...	...	1	...	...	...
Dropsies,	8	3	...	...	...	...	3	2
Drunken Madness,	5	...	...	...	...	2	...	3
Eyes diseased,	8	...	1	1	...	2	...	4
Fevers,	17	14	...	...	...	...	2	1
Fistulas,	3	1	...	1	...	...	...	1
Fluxes,	6	4	...	...	...	...	1	1
Fractures,	3	3	...	...	...	...	...	...
Imposthumes,	3	2	...	...	...	...	1	...
Inflammations,	2	2	...	...	...	...	...	...
Leprosy,	1	...	...	...	...	1	...	...
Lues Venerea,	3	3	...	...	...	...	...	...
Lunacy,	32	4	5	...	4	2	1	16
Mortifications,	2	...	...	...	...	...	1	1
Palsies,	2	2	...	...	...	...	...	...
Rheumatism,	12	10	...	...	...	...	...	2
Scorbutic Disorders,	8	7	...	...	...	...	1	...
Scrophulous Disorders,	1	1	...	...	...	...	...	...
Stone,	1	1	...	...	...	...	...	...
Surfeit,	1	...	...	...	...	...	...	1
Tympany,	1	...	...	...	...	1	...	...
Vertigo,	1	...	...	...	1	...	...	...
Ulcers,	34	13	1	...	5	6	1	8
Ulcers with carious Bones,	4	2	1	1	...	...	...	...
Viscera obstructed,	2	2	...	...	...	...	...	...
Wounds,	2	1	...	...	...	1	...	...
In all,	173	82	10	3	11	15	11	41

February 24, 1761.

Ordered, That Mr. Fox, Mr. Pearne, Mr. Knight, Mr. Morton, Mr. Saunders, Mr. M'Connaughy, Mr. Allen, Mr. Potts and Mr. Beeting be a Committee to visit the Hospital, and report the State thereof to this House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 25, 1761.

The Committee appointed to prepare and bring in a Bill for the Preservation of Fish in the Rivers Schuylkill, Susquehanna

and *Delaware*, &c. reported, they had essayed a Draught for that Purpose, which being presented to the Chair, was read the first time, and ordered a second Reading.

The House resumed the Consideration of the Bill, entitled, "*An Act for laying a Duty upon Negroes and Mulattoe Slaves imported into this Province*," which being in Part read the second time, and some Objections arising thereon, the said Bill was re-committed to the Committee who brought it in, for Amendment.

Then the House adjourned to Three o'Clock, P. M.

The Bill, entitled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province*," re-committed for Amendment to the Committee who brought it in, was again reported to the House, with some Alterations and Additions thereto, and the same being read the first time, was ordered a second Reading.

The House then took into Consideration a Bill recommended to them by the last Assembly, entitled, "*An Act for vesting the State-House, and other public Buildings, with the Lots whereon the same are erected, in Trustees for the Use of the Public*," and the said Bill being read the first time, was ordered a second Reading.

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Rhoads* and Mr. *Allen* be a Committee to wait on the Governor, and enquire whether the Proprietaries have made a Grant of any of the Lots included within the State-House Wall to any Person in Trust for the Use of the Public, the House having been informed that the Proprietaries had formerly promised to grant the said Lots for such Purpose before the said Wall was erected.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 26, 1761.

The Governor, by Mr. Secretary, sent down the Bill, entitled, "*An Act to enable the Owners and Possessors of the Meadows at the West Side of the Mouth of Darby Creek, by the River Delaware, in the Township of Ridley, in Chester County, to keep the Dams, Sluices and Floodgates in Repair for ever, and to raise a Fund to defray the Expence thereof*," and acquainted the House, that his Honour was ready to pass the said Bill into a Law whenever presented to him for that Purpose.

Mr. Secretary also brought down the Bill, entitled, "*An Act to enable Thomas Yorke, Daniel Rundle, James Child,*

Peter Chevalier, jun. and Enoch Story, or any three of them, to sell the *Provincial Ship of War*," with a written Message from his Honour relating to the said Bill, which said Message was read, by Order, and follows in these Words, viz.

G E N T L E M E N,

'SOON after you sent me up the Bill, entituled, "*An Act to enable Thomas Yorke, James Child, Daniel Rundie, Peter Chevalier and Enoch Story, or any three of them, to sell the Provincial Ship of War*," I received a Petition from very many of the principal Merchants of this City, setting forth the great Interruption given to Navigation almost every Winter by the Ice, and the frequent Losses sustained for Want of a Place of Safety for their Ships between the Capes and this Town; and that as the Surplus Money to be disposed of by this Bill was raised and paid by the Owners of Ships, and Importers of certain Commodities into this City, they had an Intention of making Application to you for a different, and, as they apprehend, more useful Disposition of it, namely, for the erecting Piers in some proper Part of the River, to secure their Ships from the Ice; but that unfortunately this Bill had passed your House, and had been sent up for my Concurrence before they had any Intimation that such a Bill was intended, and therefore praying that I would send down the Bill to your House for a Re-consideration.

'Sensible of the great Inconveniences and Losses the Trade of the City and Province is subjected to from the Want of such Protection or Security as is mentioned by the Petitioners, and being desirous to oblige so considerable a Body of Men, by giving them an Opportunity of applying to their Representatives in a Matter they think of so much Importance, I have been induced to comply with their Request, and to send down the Bill for your Re-consideration, and, at the same Time, to acquaint you, that if, upon hearing what can be said on the Subject, you shall incline to alter the Appropriation of the Money named in the Bill, and apply it to the Purposes prayed for by the Petitioners, I shall readily consent to it; if otherwise, I will give my Assent to the Bill as it stands.

February 26, 1761.

JAMES HAMILTON."

Ordered, That the said Bill lie on the Table for the Perusal and further Consideration of the Members.

The House then took up the Bill, entituled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province*," which being, in Part, read the second time, and debated, they adjourned to Three o'Clock, P. M.

Two Petitions from *Thomas Coombe* and *Joshua Humphreys*, of the City of *Philadelphia*, were presented to the House, and severally read, each praying to be appointed Collector of the Duty to be imposed on *Negroes*, and other Slaves, imported into this Province, by the Bill now under Consideration of the House.

The House proceeded in the second Reading of the said Bill, which being gone through, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 27, 1761.

The Bill, entituled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province*," being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That *Mr. Allen* and *Mr. Potts* wait on the Governor therewith, for his Assent to the same.

The Committee appointed to enquire into the Number and State of the poor People late Inhabitants of *Nova-Scotia*, and report the same to the House, presented a Report thereon in Writing, which was read by Order, and follows in these Words, *viz.*

WE the Committee appointed to examine into the State of the *French* Neutrals, and to report our Opinion of the best Method of lessening their Expence to this Province, have, in Pursuance of the said Appointment, made Enquiry, and thereupon do report,

That the late extraordinary Expences charged by the Overseers of the Poor, have been occasioned by the general Sickness which prevailed amongst them, in common with other Inhabitants, during the last Fall, and Part of the Winter; this, added to the ordinary Expence of supporting the indigent Widows, Orphans, aged and decrepit Persons, has greatly enlarged the Accounts of this Year: They have likewise a Number of Children, who by the late Acts of Assembly ought to have been bound out to Service, but their Parents have always opposed the Execution of these Laws, on Account of their Religion; many of those Children when in Health require no Assistance from the Public, but in Time of Sickness, from the Poverty of their Parents, become Objects of Charity, and must perish without it.

Your Committee called together a Number of their chief

Men, and acquainted them with the Dissatisfaction of the House, on finding the public Expence so much encreased by their Opposition to those Laws, which were framed with a compassionate Regard to them, and tending immediately to their Ease and Benefit, and assured them, that unless they could propose a Method more agreeable to themselves for lightening the public Burden, their Children would be taken from them, and placed in such Families as could maintain them, and some effectual Methods taken to prevent the ill Effects of Idleness in their young People.

They answered, with Appearance of great Concern, that they were very sorry to find themselves so expensive to the good People of this Province; reminded us of the late general Sickness as the principal Cause of it, which they hoped might not happen again during their Continuance here; that in Expectation of lessening this Expence, and of obtaining some Restitution for the Loss of their Estates, they had petitioned the Court of *Great-Britain*, and humbly remonstrated to his Majesty the State of their peculiar Sufferings, and as the Governor had been so kind as to transmit and recommend their said Petition and Remonstrance, they doubted not but the King would be so gracious as to grant a Part of their Country, sufficient for their Families to re-settle on, where they flatter themselves they shall enjoy more Health, and be free from the Apprehensions of their Children being educated in Families whose religious Sentiments are so different from theirs. In the mean Time they pray the Indulgence of the Government in suffering them to retain their Children, as they find, by Experience, that those few who are in Protestant Families, soon become estranged and alienated from their Parents; and, though anxious to return to *Nova Scotia*, they beg to be sent to *Old France*, or any where, rather than part with their Children; and they promise to excite and encourage all their young People, to be industrious in acquiring a Competency for their own and their Parents Subsistence, that they may not give Occasion for Complaints hereafter. How far they may succeed in this, or their Application to the Crown, is very uncertain.—We are of Opinion, that nothing short of putting in Execution the Law, which directs the Overseers of the Poor to bind out their Children, will so effectually lessen this Expence, unless the Governor, with the Concurrence of the Commander in Chief of the King's Forces, shall think fit to comply with their Request, and transport them out of this Province.

Nevertheless, your Committee being moved with Compassion for these unhappy People, do recommend them to the Consideration of the House, as we hope that no great Inconvenience can arise from the Continuance of their public Charity towards them for a few Months longer; and think it just to observe, that there are amongst them Numbers of industrious, labouring Men, who have been, during the late Scarcity of Labourers, of great Service in the Neighbourhood of this City.

Submitted to the House."

The House resumed the Consideration of the Bill for preserving Fish in the Rivers *Delaware*, *Susquehanna* and *Schuylkill*; and, after some Time spent therein, adjourned to Three o'Clock P. M.

The House again took up the Bill for preserving Fish in the Rivers *Delaware*, *Susquehanna* and *Schuylkill*; which being in Part read the second time, and some Objections arising thereon, the same was re-committed to the Committee which brought it in, for Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 28, 1761.

The Committee appointed to wait on the Governor, with the Bill for laying a Duty on *Negroes* and *Mulattoe* Slaves imported into this Province, reported they had delivered the said Bill, according to Order; and that his Honour was pleased to say, he would take the same into Consideration, and give it all the Dispatch in his Power.

A Petition from a considerable Number of Merchants of the City of *Philadelphia* was presented to the House and read, praying their Re-consideration of the Bill for Sale of the Province Ship, lately returned by the Governor; and that the Surplus-Money, if any should arise from such Sale, instead of being appropriated, as directed by the said Bill, towards sinking the late Grants to the Crown, may be applied to erecting a Pier or Piers in some proper Part of the River *Delaware*, for Security of Shipping against Ice, and other Dangers, by which great Damage is done every Winter, for Want of such Place of Safety.

Whereupon the House taking the said Bill and Petition from the Merchants into Consideration, after a considerable Debate thereon, it was resolved, upon the Question,

That if any Surplus-Money should arise upon Sale of the Provincial Ship of War, the same shall not be appropriated as named in the Bill sent down from the Governor; but be

given and applied, agreeable to the Petition of the Merchants, towards erecting a Pier or Piers in the River *Delaware*, within a certain Time, for the Security of Trade; and that a Rider to the said Bill be prepared, and brought in for that Purpose.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 2, 1761.

Mr. Speaker, with Twenty-two of the Members, met, pursuant to Adjournment; and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

March 3, 1761.

Mr. Speaker, with the Members present last Night, met, pursuant to Adjournment; and a Quorum being still wanting, they adjourned to Three o'Clock *P. M.*

The Governor, by Mr. Secretary, sent down a written Message to the House, with a Letter of the Twenty-seventh ult. from his Excellency General *Amherst*, which were severally read, and are as they respectively follow, *viz.*

G E N T L E M E N,

'I HEREWITH lay before you a Letter I have received from his Excellency General *Amherst*, of the Twenty-seventh of last Month; in which he is pleased to acquaint me, that his Majesty's Service renders it indispensably necessary for him to move Colonel *Vaughan's* Regiment from their present Quarters to *Philadelphia*.

"And that having (through the present Situation of the Troops) no others to relieve them with, or to send in their Stead to the several Forts and Posts within the Communication to *Pittsburg* (which, for the Security and Protection of the Country, must be kept up, and cannot be done without proper Numbers) he is therefore under a Necessity of desiring me to call you together, and to move you forthwith to raise Three Hundred Men, properly officered, for the above Service.

"I persuade myself, Gentlemen, you are so sensible of its Consequence to the Security of this Province, as well as to that of *Pittsburg* itself, that a safe Communication between that important Fortress and us, from whom it receives the principal Part of its Supplies, should be maintained; that it will require no additional Reasons or Arguments to induce you to take that Part upon you, while the Necessity of Affairs requires his Majesty's regular Forces to be employed in other Services.

"I do therefore recommend this Measure to your immediate

Consideration, and flatter myself, that you will enable me, with as little Delay as possible, to comply with the General's Requisition.

March 3, 1761.

JAMES HAMILTON."

March 3, 1761.

GENERAL AMHERST's Letter to the GOVERNOR.

New-York, February 27, 1761.

SIR,

His Majesty's Service rendering it indispensably necessary, that I should move *Vaughan's* Regiment from their present Quarters to *Philadelphia*; and, through the present Situation of the Troops, having no others to relieve them with, or to send in their Stead to the several Forts and Posts within the Communication to *Pittsburg* (which, for the Security and Protection of the Country, must be kept up, and cannot be done without proper Numbers) I am under a Necessity to desire, that upon the Receipt hereof you will call your Assembly together, and move them forthwith to raise Three Hundred Men, properly officered, for the above Service; and that you will, immediately after they are so raised, cause said Levies to be directly set in Motion towards the above Forts and Posts, agreeable to the Proportions which Brigadier General *Monckton* (who acquaints me that that Number is requisite) may allot to each. I am, with great Regard, SIR,

Your most obedient humble Servant,

To the Honourable James Hamilton, Esq;

Lieutenant-Governor of the Province
of Pennsylvania.

JEFF. AMHERST."

The House taking the foregoing Message from the Governor, with General *Amherst's* Letter, into Consideration, after some Time spent therein, referred the further Consideration thereof till To-morrow.

The Rider to the Bill for Sale of the Provincial Ship of War, directed to be brought in, was accordingly prepared and delivered at the Table, and the same being twice read, and agreed to by the House, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 4, 1761.

The Rider to the Bill, entituled, "*An Act to enable Thomas Yorke, James Child, Daniel Rundle, Peter Chevalier and Enoch*

Story, or any three of them, to sell the Provincial Ship of War," being transcribed according to Order, was read the third time, and annexed to the said Bill.

Ordered, That Mr. Baynton and Mr. M'Connaughy wait on the Governor with the said Bill, for his Assent to the same, as now altered, by the Rider.

The Committee to which the Bill for Preservation of Fish in the Rivers *Delaware* and *Schuylkill* was re-committed for Amendment, reported, they had essayed some Alterations on the said Bill, which they presented to the Chair; and the same being read the first time, was ordered a second Reading.

The House then took up the Bill, entituled, "*An Act for vesting the State-House, and other public Buildings, with the Lots whereon the same are erected, in Trustees, &c.*" which being in Part read, they adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Governor's Message, and General *Amherst's* Letter, which were again read, and, after some Time spent therein, the same were referred to further Consideration.

A Petition from *Hugh Davey*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that the salutary Purposes intended the Public by the Act to prevent the Exportation of unmerchantable Staves, Heading, &c. have been, and frequently are, defeated, by the undue Practices of certain Persons in the said City, and praying the House would re-consider and amend the said Act in such Manner as may best answer the original Intention thereof.

Ordered to lie on the Table.

The House resumed the Consideration of the Bill for preserving Fish in the Rivers *Delaware*, *Schuylkill* and *Susquehanna*, and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

March 5, 1761.

The Members appointed to wait on the Governor with the Bill, entituled, "*An Act to enable Thomas Yorke, Daniel Rundle, James Child, Peter Chevalier and Enoch Story, or any three of them, to sell the Provincial Ship of War,*" reported, they had delivered the said Bill according to Order; and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

A Petition from sundry Soldiers, late of Captain *Dehaas's* Company, in the Service of this Province, was presented to the

House and read, praying an Allowance of Half a Month's additional Pay, which they apprehend due to them, having been detained on Duty some Time longer than the Term of their Enlistment.

Referred to further Consideration.

The House resumed the Consideration of the Petition of *Hugh Davey*, and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The Petition of sundry Soldiers of Captain *Dehaas's* Company, presented to the House in the Forenoon, was, upon Motion, again read, and, after some Debate thereon, the same was referred to the Examination of the Provincial Commissioners.

The House resumed the Consideration of the Bill for preserving Fish in the Rivers *Delaware*, *Susquehanna*, &c. and some Objections arising thereto, the same was re-committed to the Committee which brought it in, for Amendment.

The Committee reported some Alterations on the said Bill, which being in Part read, and debated, they adjourned to Ten o'Clock To-morrow Morning.

March 6, 1761.

The House resumed the Consideration of the Bill for preserving Fish in the Rivers *Delaware*, *Susquehanna* and the *Lehigh*, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Petition of *Hugh Davey*, and, after a considerable Debate thereon, adjourned to Eleven o'Clock To-morrow Morning.

March 7, 1761.

The Bill for Preservation of Fish in the Rivers *Delaware*, *Susquehanna* and the *Lehigh*, commonly called the *Western Branch of Delaware*, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Rhoads* and Mr. *Wynkoop* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 9, 1761.

The House met pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for the Preservation of Fish in the Rivers *Delaware*,

Susquehanna and the *Lehigh*, commonly called the *Western Branch of Delaware*, reported, they had delivered the said Bill according to Order; and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 10, 1761.

The Committee appointed to prepare and bring in a Bill for rendering the River *Schuylkill* navigable, &c. reported, they had essayed a Draught for that Purpose, which they presented at the Table, and the same being read the first time, was ordered a second Reading.

The Governor, by Mr. Secretary, returned the two Bills, entituled, "*An Act to enable Thomas Yorke, James Child, Daniel Rundle, Peter Chevalier and Enoch Story, or any three of them, to sell the Provincial Ship of War.*" And, "*An Act for the Preservation of Fish in the Rivers Delaware, Susquehanna and the Lehigh, commonly called the Western Branch of Delaware,*" and acquainted the House, that he was ready to pass the said two Bills when presented to him for that Purpose.

Ordered, That the said Bills be immediately engrossed.

The Secretary also brought down the Bill, entituled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" with some Amendments thereon, and a written Message to the House, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I NOW return the Bill, entituled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" with some Amendments, in order to make it more agreeable to, and consistent with, the Nature of an *English* Constitution.

'For I cannot help observing, Gentlemen, that in the framing of this Bill you have not only fixed upon the Officer to put it in Execution, but have likewise inserted the Name in the Bill, without having previously acquainted me with your Intention, and obtained my Concurrence to such Nomination.

'Nevertheless, although I am well assured, from the best Authority, that this Practice is altogether unconstitutional, and see no Foundation for it in the Charter of Privileges or Laws of the Province, yet, from my having nothing to object to the Gentleman you have thought fit to name, I am induced, on the present Occasion, to wave the Right inherent in me as one Branch of the Legislature, and to let the Bill stand as it does in that Respect.

'But, at the same time, Gentlemen, I think myself obliged to acquaint you, that in all future Instances of appointing an Officer by Act of Assembly, I shall hold myself indispensably bound, in Maintenance of his Majesty's Prerogative, to object to any Officer that shall be named in such Bill, unless his Appointment shall have been first mutually agreed upon betwixt you and me in a Conference for that Purpose, however agreeable or acceptable to me the Person might otherwise be.

March 10, 1761. JAMES HAMILTON."

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Governor's Amendments to the Bill for laying a Duty on *Negroes* and *Mulattoe* Slaves imported into this Province, and, after some Time spent therein, an Answer to the same being prepared at the Table, and agreed to by the House,

Ordered, That Mr. *Morton* and Mr. *Wynkoop* do wait upon the Governor with the said Bill, and Answer to his Amendments thereon, for his Honour's further Consideration.

With the foregoing Message, Bill and Amendments, sent down in the Forenoon, Mr. Secretary also delivered another written Message from the Governor to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'By your verbal Message, in Answer to my written one of the Fourteenth of *February*, in Relation to your passing and offering to me a Bill for amending (agreeable to the Report of a Committee of his Majesty's most honourable Privy Council, and the express Stipulation of your Agents in *England*) an Act passed in this Province in the Year One Thousand Seven Hundred and Fifty-nine, entituled, "*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, &c.*" you were pleased to inform me, that you then had the Matter under Consideration, and would, as soon as conveniently you could, acquaint me with your Determination thereon.

'Since which a good deal of Time hath passed, but I have not heard any Thing further from you upon that Subject.

'I believe you will agree, Gentlemen, that in the whole Progress of this Affair I have neither pressed you unnecessarily, or endeavoured to straiten you in Point of Time for your Deliberations; but as the present Session must soon come to a Close, and it is incumbent on me to transmit an Account of your Proceedings herein by the first Opportunity to *Britain*, I am under the Necessity of desiring that you will, as soon as possible, furnish me with your determinate Answer, whether you will, or will not comply with the Engagements

entered into by your Agents in your Behalf, with respect to the passing and offering to me a Bill for amending the aforementioned Act, according to the Amendments proposed in the Report of the Lords of the Committee aforesaid, and to the Stipulation of your own Agents?

March 10, 1761.

JAMES HAMILTON."

Then the House adjourned to Ten o'Clock To-morrow Morning.

March, 11, 1761.

The Members appointed to wait on the Governor with the Bill, entitled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" and the Answer of the House to the Governor's Amendments thereon, reported they had delivered the same according to Order, and that his Honour was pleased to say, he would take them into immediate Consideration.

The Governor, by Mr. Secretary, sent down the Bill, entitled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" with a Reply to the Answer of the House to his Honour's Amendments on the said Bill, which were read, and, after a considerable Debate thereon, the House adjourned to Three o'Clock in the Afternoon.

The House resumed Consideration of the Bill for making the River *Schuylkill* navigable, which being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The House then proceeded in the Consideration of the Governor's Amendments to the Bill for laying a Duty on *Negroes* and *Mulattoe* Slaves imported into this Province, and, after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

March 12, 1761.

The Bill, entitled, "*An Act for making the River Schuylkill navigable and for the Preservation of the Fish in the said River,*" being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

The House again took up the Governor's Amendments to the Bill, entitled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" and, after some Time spent therein, an Answer being prepared at the Table, and agreed to by the House, it was

Ordered, That Mr. Fox and Mr. Allen do wait on the Governor with the said Bill and Answer of the House to his last

Amendments thereon, and also deliver the Bill for making the River *Schuylkill* navigable, &c. requesting his Honour will be pleased to appoint some Members of Council to join with Mr. *Roberdeau* and Mr. *Rhoads*, in comparing the several engrossed Bills which have been agreed upon with their Originals.

The Committee appointed to examine into the State of the Proprietary Taxes through the Province, and report thereon to the House, presented their Report to the Chair in Writing, which was read, by Order, and follows in these Words, *viz.*

WE the Committee appointed to enquire into and consider the State of the Proprietary Taxation through the several Counties, and report the same to the House, have, in Pursuance of the said Appointment, carefully examined the Returns of Property, and compared them with the respective Assessments thereon made through the whole Province, and find,

First, That no Part of the unsurveyed Waste Lands, belonging to the Proprietaries, have, in any Instance, been included in the Estates taxed.

Secondly, That some of the located uncultivated Lands, belonging to the Proprietaries, in several Counties, remain unassessed, and are not, in any County, assessed higher than the Lands, under like Circumstances, belonging to the Inhabitants.

Thirdly, That all Lands not granted by the Proprietaries, within Boroughs and Towns, remain untaxed, excepting in a few Instances, and in those they are rated as low as the Lands which are granted in the said Boroughs and Towns.

The Whole of the Proprietary Tax of *Eighteen-pence per Pound* throughout the Province in one Year, amounts to *Five Hundred and Sixty-six Pounds, Four Shillings and Ten-pence*; and the Sum of the Tax of the Inhabitants for the same Year, and at the same Rate, amounts, through the several Counties, to *Twenty-seven Thousand One Hundred and Three Pounds Twelve Shillings and Eight-pence*.

And it is the Opinion of your Committee, that there has not been any Injustice done to the Proprietaries, or Attempts made to rate or assess any Part of their Estate higher than the Estates of like Kind, belonging to the Inhabitants, are rated and assessed; but, on the contrary, we find that their Estates are rated, in many Instances, below others.

THOMAS LEECH,
JOSEPH FOX,
SAMUEL RHODES,
ABRAHAM CHAPMAN,

GEORGE ASHBURIDGE,
EMANUEL CARPENTER,
JOHN BLACKBURN,
WILLIAM ALLEN."

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for making the River *Schuylkill* navigable, &c. and the Bill, entitled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" with the Answer of the House to his Honour's Amendments to the last of them, reported, they had delivered the same according to Order, and that the Governor was pleased to say, he would take the said Bill and Answer to his Amendments thereon into immediate Consideration, and should appoint some Members of Council to join with the Gentlemen of the House in comparing the several engrossed Bills with their Originals.

The Governor, by Mr. Secretary, returned the two Bills sent up in the Forenoon, and acquainted the House, that he should be ready to pass the same when presented to him for that Purpose, and had nominated two of his Council to assist in collating the engrossed Bills at Ten o'Clock To-morrow Morning.

The Secretary also delivered a written Message from his Honour to the House, with a Letter just received by him from General *Amherst*, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'AS I look upon his Majesty's Service, as well as the Security of the Province, to be nearly concerned in your complying with General *Amherst's* Requisition of the Twenty-seventh of *February* last, communicated to you in my Message of the Third Instant, I was in Hopes, before this Time, to have received an Answer, signifying your Willingness to accede to the Measure therein recommended.

Which not having been the Case, I am under the Necessity of applying to you again upon that Subject, and of urging to you a speedy Compliance with the General's Request of *Three Hundred Men, properly officered, to serve as Garrisons at the several Forts and Posts within the Communication to Pittsburg*—and I do this with the greater Confidence of Success, as you are sensible there yet remains in the Trustees Hands, undisposed of, a larger Proportion of the Supply granted to his Majesty the last Year, than will probably be wanted for this Service.

March 12, 1761.

JAMES HAMILTON."

His EXCELLENCY GENERAL AMHERST'S Letter.

New-York, March 9, 1761.

SIR,

AS the Services I have in Command from his Majesty, re-

quire a certain Quantity of Shipping, which I have ordered to be taken up at *Boston*, *New-York* and *Philadelphia*, at the latter of which Places I shall want Two Thousand Ton, I now send Captain *Pryce*, Agent for Transports, with my Instructions for the Performance of that Service; and as, in the Execution of the same, he may stand in Need of your Countenance and Assistance, I must beg the Favour that you will be pleased to grant him the same; which, from your Zeal for his Majesty's Service, I am confident you will readily do, and I therefore flatter myself with his speedy Success, as Time presses, and that the Exigency will not admit of a Delay.

Since writing the above, I am favoured with your Letter of the Fourth Instant, and am to thank you for your ready and immediate Acquiescence with my Request, in laying before your Assembly my Requisition of the Twenty-seventh ult. and for enforcing the Expediency of the Measure, and recommending a speedy Compliance with it, which I shall depend upon, as the Good of his Majesty's Service and of the Province make it absolutely necessary, and I am therefore hopeful that I shall soon receive from you a Confirmation of it.

I am sorry at your Indisposition, and hope this will find you perfectly recovered, being, with the greatest Truth, *SIR*,

Your most obedient humble Servant,

JEFF AMHERST."

*To the Honourable James Hamilton, Esq;
Lieutenant-Governor of the Province
of Pennsylvania.*

The House taking into Consideration the foregoing Message from the Governor, with the Requisition of General *Amherst*, and having spent some Time therein, it was resolved, upon the Question,

That Three Hundred effective Men, properly officered, be forthwith levied at the Expence of this Province for the King's Service, and that the said Troops so levied, be clothed and paid by the said Province until the Twenty-fifth Day of *November* next, or the Ratification of a Peace with *France*, as either may first happen, to be employed in garrisoning the several Forts and Posts on the Communication to *Pittsburg*, in such Manner as his Majesty's Commander in Chief shall order and appoint.

Ordered, That Mr. *Leech*, Mr. *Fox* and Mr. *Morton* be a Committee to prepare and bring in a Bill for the Purpose aforesaid.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 13, 1761.

The Gentlemen appointed to meet the Members of the Council to collate the several Bills with their Originals, reported they had done the same, and found them to agree.

The Committee appointed to prepare and bring in a Bill for raising Three Hundred Men for garrisoning the Forts and Posts within the Communication to *Pittsburg* reported, they had essayed a Draught for that Purpose, which they presented at the Table, and the same being read the first time, was, by special Order, read again, and ordered to be transcribed for a third Reading.

The House then resumed the Consideration of the Governor's Message of the Tenth Instant, relating to the Stipulations and Agreements entered into by the Provincial Agents on Behalf of the Assembly, and after some Debate thereon,

Ordered, That Mr. *Hughes*, Mr. *Wynkoop*, Mr. *Morton* and Mr. *Webb* be a Committee to prepare and bring in an Answer to the said Message.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for raising, paying and cloathing Three Hundred Men, properly officered, for garrisoning the Forts and Posts within the Communication to *Pittsburg*, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Ely* wait on the Governor therewith, for his Assent to the same, and request his Honour will be pleased to acquaint the House when they shall wait on him with the several engrossed Bills to which he hath given his Assent, that the same may be enacted into Laws.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Tenth Instant, reported they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read, and agreed to, was ordered to be transcribed.

The Members appointed to wait on the Governor with the Bill for raising, paying and cloathing Three Hundred Men, &c. and to enquire when he would be pleased to enact the several Bills agreed on into Laws, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and should meet the House in the Council

Chamber at Twelve o'Clock To-morrow, to pass the several Bills in Readiness to be presented to him for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 14, 1761.

The Answer of the House to the Governor's Message of the Tenth Instant, being transcribed, was again read, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

THE Report of the Committee of his late Majesty's most honourable Privy Council, relating to the Act passed in this Province in the Year One Thousand Seven Hundred and Fifty-nine, entituled, "*An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, &c.*" and his late Majesty's Determination thereupon, were no sooner laid before the House, than we thought it our Duty to appoint a Committee to enquire into the State of the Taxations under that Law, and particularly so far as it regarded the taxing the Proprietary Estate; which Committee, after a full and careful Examination of the Taxes laid throughout the Province, have made their Report, whereby it appears,

First, "That no Part of the unsurveyed Waste Lands belonging to the Proprietaries have in any Instance been included in the Estates taxed."

Secondly, "That some of the located uncultivated Lands belonging to the Proprietaries in several Counties remain unassessed, and are not in any County assessed higher than the Lands under like Circumstances belonging to the Inhabitants."

Thirdly, "That all Lands not granted by the Proprietaries within Boroughs and Towns, remain untaxed, excepting in a few Instances, and in those they are rated as low as the Lands which are granted in the said Boroughs and Towns."

"And that the whole of the Proprietary Tax of *Eighteen-pence per Pound* throughout the Province, in one Year, amounts to *Five Hundred and Sixty-six Pounds Four Shillings and Ten-pence*; and the Sum of the Tax of the Inhabitants for the same Year, and at the same Rate, amounts, through the several Counties, to *Twenty-seven Thousand One Hundred and Three Pounds Twelve Shillings and Eight-pence*.

"And it is the Opinion of the said Committee, that there has not been any Injustice done to the Proprietaries, or Attempts made to rate or assess any Part of their Estate higher than the Estates of like Kind, belonging to the Inhabitants, are rated and assessed; but, on the contrary, the

Committee find the Proprietary Estates are rated, in many Instances, below others."

This Report appears to the House, upon an Inspection into the Provincial Assessments, now lying before us, to be just and true; and your Honour will permit us to add, that the major Part of the Members of the present Assembly, having also been Members of the Assembly in the Year One Thousand Seven Hundred and Fifty-nine, when the Act was passed, are well assured, that it never was the Intention by that Act, either to tax the Proprietaries unlocated Lands, or to contravene the Stipulations and Agreements entered into with the Proprietaries, for the Payment of their Quitrents; but that those Stipulations and Agreements should remain as binding upon all the Parties concerned therein as they were, or could be, before the passing of that Act.

And we beg Leave further to remark, that by the Law now under our Consideration the Commissioners and Assessors are obliged to lay before the Assembly for the Time being, their Rates and Taxations for every Year, whereby the Assembly will be enabled to judge of any Variations from the present Mode of Taxation, and if it shall then appear that any Injustice is offered to the Proprietaries, or if the Governor, in Behalf of the Proprietaries, can point out any Injury they may receive in the Execution of the said Act, we doubt not the then Assembly will cheerfully and readily offer a Bill to the Governor to do them Justice.

In the mean Time, as the Taxes are now assessed, and no other or further Assessment can be made till the next Year, we apprehend the Proprietaries can receive no Damage from the Law as it now stands, and which must soon expire by its own Limitation; we therefore request the Governor will be pleased to lay a fair and candid State of this Matter before our Superiors, in which Case we have great Reason to hope and believe that the Act passed by your Honour in the Year One Thousand Seven Hundred and Sixty, may, and will receive the Royal Approbation, and by that Means satisfy the Proprietaries, and prevent the great Evils and Confusions which the Repeal of that Law might bring upon this Province.

Signed by Order of the House,

March 14, 1761.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Baynton and Mr. Gibbons wait on the Governor with the foregoing Message, and acquaint him, that the House having gone through the principal Business that lay before them, incline to adjourn to *Monday*, the Seventh of *September* next, if his Honour hath no Objection thereto.

Ordered, That Mr. *Rhoads*, Mr. *Leech*, Mr. *Allen* and Mr. *Potts* be a Committee to complete the Bill for vesting the State-House, &c. in Trustees, for the Use of the Public, and to prepare a Draught for limiting the Continuance of Actions in the Courts of this Province, against the next Meeting of the House.

Ordered, That Mr. *Leech*, Mr. *Hughes*, Mr. *Roberdeau* and Mr. *Baynton* be a Committee to prepare a Supplement to amend the Lumber Bill, against the next Sitting of Assembly.

Ordered, That the Clerk do forthwith cause the *Schuylkill*, Fish, and Porters Bills to be printed in the public News Papers.

The Governor, by Mr. Secretary, returned the Bill for raising, paying, and cloathing Three Hundred Men, properly officered, for garrisoning the Forts and Posts on the Communication to *Pittsburg*; and acquainted the House, by a verbal Message, that he should be ready to pass the said Bill, when presented to him for that Purpose.

The Members appointed to wait on the Governor, with the Answer of the House to his Message of the Tenth Instant, and acquaint him with the Time of Adjournment proposed by the House, reported, they had delivered the same according to Order, and that his Honour was pleased to say, he would transmit the said Answer to the Proprietaries, by the first Opportunity; and that he had no Objection to the intended Adjournment of the House.

The House then taking into Consideration the Governor's Support, after some Debate thereon, it was

Resolved, That the Sum of *One Thousand Pounds* be allowed and given to the Honourable *James Hamilton*, Esq; Lieutenant-Governor of this Province, for his Support for the current Year.

Ordered, That a Certificate be drawn at the Table for the said Sum, and signed by Mr. Speaker, to be presented to his Honour, in Behalf of this House.

Ordered, That Mr. *Roberdeau* and Mr. *Rhoads*, do see the Great-Seal affixed to the several Bills, prepared and agreed on, after they shall be enacted into Laws, and deposite the same in the Rolls-Office.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members, in the Council Chamber immediately; and commands me to acquaint the House, that as a considerable Number of *Indians* may be expected to come and treat with

the Government, some Time in the Summer, in Consequence of the Invitations that have been sent to them, he desires the House will appoint a Committee to attend the Treaties, and to make Provision for the Expence that will attend them."

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor with several Bills respectively entitled as follow, viz. "*An Act to enable the Owners and Possessors of the Meadow at the West-side of the Mouth of Darby-Creek, by the River Delaware, in the Township of Ridley, in Chester County, to keep the Banks, Dams, Sluices and Flood-gates in Repair for ever, and to raise a Fund to defray the Expence thereof.*"—"An Act to enable the Owners and Possessors of the Northern District of Kingsess Meadow-Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Flood-gates in Repair, and to raise a Fund to defray the Expence thereof."—"An Act to enable certain Trustees to sell Lands in the County of Philadelphia, in Trust for the Use of the Minister of Oxford Church, and to receive the voluntary Donations of the Inhabitants; and, with the Monies arising therefrom, to purchase other Lands, to be settled to the same Use."—"An Act for regulating Waggoners, Carters, Draymen and Porters within the City of Philadelphia, and for other Purposes therein mentioned."—"An Act to enable Thomas Yorke, James Child, Daniel Rundle, Peter Chevalier and Enoch Story, or any three of them, to sell the Provincial Ship of War."—"An Act to regulate the Assize of Bread."—"An Act for laying a Duty on Negroes and Mulattoe Slaves, imported into this Province."—"An Act for the Preservation of Fish in the Rivers Delaware, Susquehanna and the Lehigh, commonly called, The Western Branch of Delaware."—"An Act for making the River Schuylkill navigable, and for the Preservation of the Fish in the said River."—"An Act for raising, paying and cloathing Three Hundred Men, properly officered, for relieving the several Forts and Posts within the Communication to Pittsburg, and for continuing the Act for regulating the Officers and Soldiers in the Pay of this Province."—To all which several Bills the Governor had been pleased to give his Assent, by enacting the same into Laws; and Mr. Speaker further reported, that he had also, on Behalf of the House, presented their Certificate for One Thousand Pounds to the Governor, who was pleased to return his Thanks to the House for the same.

The House then took into Consideration the Governor's

verbal Message, by the Secretary; relating to the *Indian* Treaty expected to be held with this Government some Time this Summer, and, after some Debate thereon,

Resolved, That Mr. Speaker, the Provincial Commissioners, Mr. *Ashbridge*, Mr. *Wynkoop*, Mr. *Gibbons*, Mr. *Hunt*, Mr. *Allen* and Mr. *Potts* be a Committee to attend the said Treaty; and that the Provincial Commissioners do, with the Assent of the Governor, defray any reasonable Expences that may be incurred by the same.

And the said Resolve being transcribed at the Table,

Ordered, That Mr. *Leech* and Mr. *Fox*, wait on the Governor, and deliver the same.

The Members return and report, they had delivered the aforesaid Resolve to his Honour according to Order, and that he was pleased to say, it was very agreeable to him.

Then the House adjourned to *Monday*, the Seventh Day of *September* next, at Four o'Clock in the Afternoon.

April 2, 1761.

THE Representatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, Mr. Speaker, with Twenty of the Members, met in Pursuance thereof, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

April 3, 1761.

A Quorum met pursuant to the Governor's Summons.

Mr. *Byers*, this Day appearing in the House for the first time since the Demise of his late Majesty, and having taken and subscribed the usual Qualification to the present King, took his Seat.

Ordered, That Mr. *Ely* and Mr. *Hunt* wait on the Governor, and acquaint him, that a Quorum of the Representatives being met, pursuant to his Summons, are ready to receive and proceed upon any Business his Honour may have to lay before them, and request to be furnished with a Copy of the Writ by which they were called.

The Members appointed to wait on the Governor, return and report, that on their Way thither they had met the Secretary, who acquainted them his Honour was gone out of Town, but had ordered him to attend the House with a written Message, and some Papers therein referred to; and also to lay before them a Copy of the Writ by which they were convened.

Mr. Secretary being then called in, delivered to the Chair a written Message from the Governor, with a Letter from

the Honourable *William Pitt*, Esq; one of his Majesty's Principal Secretaries of State, and two other Letters from his Excellency General *Amherst*; also a Copy of the Governor's Writ for calling the House, and the same being severally read by Order, the said Message and Letters are as they respectively follow, *viz.*

GENTLEMEN,

'ALTHOUGH your being so soon called together again, after your late long Session and Adjournment, must needs prove very fatiguing to your Persons, as well as inconvenient to your private Affairs; yet I perswaded myself that, upon being made acquainted with the Reasons that induced it, you will readily agree that your Meeting at this Time was absolutely necessary, and could not be dispensed with.

'You will be pleased then to know, that within a few Days after your Recess, I had the Honour to receive from one of his Majesty's Principal Secretaries of State, the King's Commands to the following Purpose, *viz.*

'That I should forthwith use my utmost Endeavors and Influence with the Council and Assembly of this Province, to induce them to raise, with all possible Dispatch, within my Government, Two Thirds of the Number of Men they raised for the last Campaign, and that forming the same into Regiments, as far as shall be found convenient, I should direct them to hold themselves in Readiness, and particularly as much earlier than former Years as may be, to march to such Place or Places in North-America as his Majesty's Commander in Chief there, or the Officer who shall be appointed to command the King's Forces in those Parts, shall appoint, in order to be employed there, under the supreme Command of his Majesty's said Commander in Chief, or of the Officer to be appointed as above, in such Manner as, from the Circumstances, and Situation of the Enemy's Posts, and the State and Disposition of the Indian Nations on that Side, he may judge most conducive for the King's Service.

'That the King is pleased to furnish all the Men, so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces.—That the whole therefore that the King expects and requires from the several Provinces, is the Levying, Cloathing, and Pay of the Men; and on these Heads also, that no Encouragement may be wanting to this great and salutary Service, his Majesty is further

most graciously pleased to permit me to be acquainted, that strong Recommendations will be made to Parliament in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit.

‘But that nothing may be wanting, Gentlemen, to the fullest Explication of his *Majesty's* Orders and Intentions in this Respect; I have directed the Secretary of State's Letter, with others from General *Amherst* upon the same Subject, to be herewith laid before you; in which the Motives and Reasons of the present Requisition are so particularly set forth, that any Thing, by Way of Addition, from me, might be justly deemed superfluous.

‘It therefore only remains from me to recommend to you, as I hereby do, in the warmest Manner, a speedy and effectual Compliance with the King's Demand; by which alone the Delay, occasioned by the Loss of the first Dispatches, can be repaired; for I cannot entertain the least Doubt of your Readiness to testify the same Duty and Affection to his present Majesty, on his Accession, which to his late Royal Grandfather, of glorious Memory, were so repeatedly manifested by former Assemblies.

April 3, 1761.

JAMES HAMILTON."

The SECRETARY of STATE's Letter to the GOVERNOR

SIR,

Whitehall, December 17, 1761.

HIS Majesty having nothing so much at Heart, as, by the most vigorous Prosecution of the War, to reduce the Enemy to the Necessity of accepting a Peace, on Terms of Glory and Advantage to his Majesty's Crown, and beneficial, in particular, to his Subjects in *America*; and as nothing can so effectually contribute to that great and essential Object, as the King's being enabled to employ, as immediately as may be, such Part of the regular Forces in *North-America* as may be adequate to some great and important Enterprise against the Enemy. I am commanded to signify to you the King's Pleasure, that, in order the better to provide for the full and entire Security of his Majesty's Dominions in *North-America*, and particularly of the Possession of his Majesty's Conquests there, during the Absence of such Part of the regular Forces, you do forthwith use your utmost Endeavors and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, within your Government, Two Thirds of the Number of Men they raised for the last Cam-

paigh, and forming the same into Regiments, as far as shall be found convenient, that you do direct them to hold themselves in Readiness, and particularly as much earlier than former Years as may be, to march to such Place or Places in *North-America* as his Majesty's Commander in Chief there, or the Officer who shall be appointed to command the King's Forces in those Parts, shall appoint, in order to be employed there, under the supreme Command of his Majesty's said Commander in Chief, or of the Officer to be appointed as above, in such Manner as from the Circumstances and Situation of the Enemy's Posts, and the State and Disposition of the *Indian* Nations on that Side, he may judge most conducive for the King's Service: And, the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen in your Province as you shall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men; in the Disposition of which Commissions, I am perswaded you will have nothing in View but the Good of the King's Service, and a due Subordination of the Whole to his Majesty's Commander. And all Officers of the Provincial Forces, as high as Colonels inclusive, are to have Rank according to their several respective Commissions, agreeable to the Regulations contained in his Majesty's Warrant of the Thirtieth of *December*, 1757, which is renewed by his present Majesty.

The King is further pleased to furnish all the Men so raised as above with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces. The Whole, therefore, that the King expects and requires from the several Provinces, is, the Levying, Cloathing and Pay of the Men; and on these Heads also, that no Encouragement may be wanting to this great and salutary Service, his majesty is further most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit.

It is his Majesty's Pleasure, that you do, with particular Diligence, immediately collect and put into the best Condition all the Arms issued last Campaign, which can be any way rendered serviceable, or that can be found within your Govern-

ment, in order that the same may be again employed for his Majesty's Service.

I am further to inform you, that similar Orders are sent by this Conveyance to *Maryland, Virginia, North-Carolina and South-Carolina*. The Northern Governments are also directed to raise Men in the the same Manner, to be employed as his Majesty's Commander in Chief shall judge most conducive to the King's Service in *North-America*.

It is unnecessary to add any Thing to animate your Zeal in the Execution of his Majesty's Orders in this important Conjunction, which is finally to fix the future Safety and Welfare of *America*, and of your own Province in particular; and the King doubts not, from your known Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch in this promising and decisive Crisis. I am, with great Truth and Regard,

SIR, Your most obedient humble Servant.

W. PITT."

*His EXCELLENCY GENERAL AMHERST's Letter
to the GOVERNOR.*

SIR,

New-York, March 15, 1761.

On the First of *January* last I signified to you, that by the Dispatches I had received the preceding Day from his Majesty's principal Secretary of State, it was the King's firm Resolution steadily to support his Allies, and to prosecute the War with the utmost Vigour; and that in Consequence of this Resolution, I made no Doubt but you should soon receive his Majesty's Requisition for such a Number of Men from your Province as should be thought requisite to answer the proposed End of procuring a good and lasting Peace.

This Requisition was in Fact dispatched from the Secretary of State's Office on the Seventeenth of *December* last, and, I conclude, sent on board the *Leicester* Packet, which sailed from *Falmouth* on the Twenty-ninth of said Month, but being unfortunately taken in her Passage, the Triplicates of those Dispatches are but this Moment arrived in his Majesty's Sloop *Tamar*, and Mr. President *Colden*, to whom they have been delivered, is to forward them without Delay.

It remains therefore with me, after this unexpected and unlucky Detainder, most earnestly to entreat you to make up for this Lost Time, in immediately, upon Receipt hereof, convening your Assembly, and laying before them the aforesaid Letter of the Secretary of State; and that you will forth-

with use your utmost Endeavors and Influence with the Council and Assembly, to induce them to raise, with all possible Dispatch, within your Government, Two Thirds of the Number of Men they raised for the last Campaign.

The King's Reasons for his Majesty's Requisition of this further Aid from his faithful *American* Subjects, are too obvious, and to clearly pointed out by the aforesaid circular Letter of his Secretary of State, to need any additional Enforcement; and yet I cannot refrain from repeating a Recommendation which ought, and I doubt not will, have with it all the Weight and Impression which, from its Prudence and Sagacity, it has a just Right to expect, since it proceeds from the spirited View of reducing the Enemy to the Necessity of accepting a Peace on Terms of Glory and Advantage to his Majesty's Crown, and beneficial, in particular, to his Subjects in *America*; to which great and essential Object, nothing can certainly so effectually contribute, as the King's being enabled to employ, as immediately as may be, such Part of the regular Forces in *North-America* as may be adequate to some great and important Enterprise against the Enemy.

And as such are the King's Resolutions, and that his Majesty, the better to provide for the full and entire Security of his Dominions in *North-America*, and particularly of the Possession of his Conquests there, during the Absence of such Part of the regular Forces to be employed in the aforesaid Enterprise, has desired that the several Provinces and Colonies of this Continent should forthwith raise Two Thirds of the Number of Men they raised the last Campaign, I cannot, from the past Zeal I have experienced, upon all former Occasions, on the Part of your Province, but firmly rely and trust that it will upon this exert itself to the utmost, and that I shall have the Satisfaction to report to his Majesty, how chearfully it has acquiesced with his Recommendation.

Nothing therefore now remains with me to add, than that you will observe, by the aforesaid circular Letter of the Secretary of State, that as a further Encouragement to such Exertion on the Part of the Provinces, his Majesty has ordered, as heretofore, that the Provincial Forces should be victualled in the same Manner, and in the same Proportions, as the Regulars; and that they should be supplied with Arms and Tents at the Expence of the Crown; moreover, that strong Recommendations will be made to Parliament in their Session next Year, to grant a Compensation to the Provinces for the Expences they may be at on this Occasion, according as their respective Vigour and strenuous Efforts shall justly ap-

pear to merit; I must therefore, as this Aid of Troops will be immediately wanted, most seriously recommend it to you, to obtain them from the Assembly without Loss of Time, and to hold them in Readiness to march wheresoever I may have Occasion for them, upon the first Notice you shall receive from me for that Purpose.

I have it also in Command from his Majesty to enjoin you to collect, and cause to be put in proper Condition, all the serviceable Arms that can be found within your Province; for every one of which that shall be brought to the Field, and shall not return, by reason of being spoiled, or lost in actual Service, I shall pay the usual Allowance of *Twenty-five Shillings per Firelock*.

As it is very essential to the Services I have in Command from the King, that I should be as early as possible informed of the Resolves of your Assembly on this Head, and of the Time that the Troops will be ready, I beg that, as soon as you are acquainted therewith, you will signify the same to me by Express, that I may regulate myself accordingly. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST.

P. S. In the Contingent of Men which you are, by the King's aforesaid Requisition, recommended to raise, I shall allow the Three Hundred which, by my Letter of the Twenty-seventh ult. I requested for the Communication between *Philadelphia* and *Fort Pitt*, to be a Part of.

J. A."

GENERAL AMHERST's second Letter to the GOVERNOR.

S I R,

As the Season is so far advanced, I am sorry it so happened that your Assembly had rose prior to the Reception of his Majesty's Requisition for a further Aid of Troops from the several Provinces; and I am much obliged to you for the Dispatch with which you have convened them to renew their Sitting; I am hopeful, that the Time which will be lost by this Adjournment, will be made up by their expediting Matters so soon as they come together again; and, from their most commendable Zeal and Readiness in granting the Three Hundred Men I requested for the Communication, I firmly trust they will, upon this Occasion, be no less eager to merit his Majesty's Approbation; which, were they to slacken in their Zeal, they

must not only forfeit, but expose themselves to the King's Displeasure.

Brigadier General *Monckton*, as I mentioned to you in my last, sets out To-morrow, on his Way to *Philadelphia*, in order to station the Three Hundred Men voted by your Assembly, and to put *Vaughan's* Regiment in Motion. I am with great Regard,

SIR, Your most obedient and humble Servant,

JEFF. AMHERST."

A Petition from *Thomas Coombe*, of the City of *Philadelphia*, was presented to the House and read, praying to be appointed the Officer to collect the Duty on *Negroes* and other Slaves, imported into this Province, in the Room of *Richard Pearne*, lately deceased.

Ordered to lie on the Table.

A Petition from the Merchants of the City of *Philadelphia* was presented to the House and read, praying an Amendment of the Law for preventing the Exportation of bad and unmerchantable Staves, &c. the good Purposes thereby intended not being fully answered by the said Law.

Ordered to lie on the Table.

A Representation from the Commissioners of the Provincial Ship of War was delivered to the Chair, and being read, follows in these Words, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of Pennsylvania, in General Assembly met,

The Representation of the Commissioners, appointed in and by a late Act of Assembly, for purchasing and equipping a Provincial Ship of War,

Humbly sheweth,

THAT since the last Sitting of Assembly *Richard Pearne*, the Collector of the Duty of Tonnage and Excise on strong Liquors, &c. arising on and by Virtue of the said Act, hath departed this Life; and that from a Concern for the public Weal (though not regularly or legally empowered so to do) they did, upon the Demise of the said Collector, take into their Hands the Books of Accounts belonging to the Province, and, upon inspecting the same, they find that there is now remaining due to the Public full *Four Thousand Eight Hundred Pounds*, which the said *Richard* hath actually received more than what he has paid into the Hands of the Treasurer, agreeable to the Directions of the said Act, as will evidently appear from the Books of Accounts of the said *Richard*, ready

to be shewn to the House whenever required; and they beg Leave further to represent, that they have procured an Account of the Estate of the said Collector, a short State of which they have thought necessary to attend this Representation, for your Information.

These Things the said Commissioners (being entrusted in some Measure with the Discharge of the Certificates for Money taken upon Interest, in Pursuance of the said Act) thought it their Duty to lay before this Honourable House, that they might, upon Consideration thereof, take such Measures therein as should most conduce to the public Weal and Benefit.

THOMAS YORKE,
JAMES CHILD,
DANIEL RUNDLE,

PETER CHEVALIER, jun.
ENOCH STORY."

The House taking into Consideration the foregoing Representation from the Ship-Commissioners, and, having spent some Time therein,

Ordered, That the said Commissioners do attend the House at Four o'Clock this Afternoon, and bring with them the Books of Accounts belonging to the said late Collector of the Duty of Tonnage, &c.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message, which was again read, and debated.

The Ship Commissioners attending pursuant to Notice, were called in, and having laid the Books of the late Collector of Tonnage, &c. before the House, and answered such Questions as were put to them, withdrew.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 4, 1761.

A Petition from *John Gordon*, Author of a late Book and Traverse-Tables, as an Improvement in the Mensuration of Land, was delivered at the Table and read, praying Leave to present the House with a Copy of his Book. *Ordered to lie on the Table.*

The House then took up the Representation of the Ship Commissioners, together with their Estimate of the Effects of *Richard Pearné*, late Collector of the Duties of Tonnage, &c. and finding that it is absolutely necessary, in order to secure the Public, that some prudent and able Persons should administer upon the Estate of the said Collector, do recommend

it to *Joseph Stretch* and *Enoch Story*, of this City, to take out Letters of Administration on the said Estate, with all convenient Speed.

Ordered, That the said *Joseph Stretch* and *Enoch Story* do attend this House forthwith.

The said Gentlemen attending accordingly, and consenting to take upon them the Administration of the said Collector's Estate, a Copy of the above Minute of Assembly was delivered to them, and they withdrew.

The House then taking into Consideration, that by the Demise of the said *Richard Pearne* the Act for laying a Duty on *Negroes*, and other Slaves, imported into this Province, can no longer be executed,

Ordered, That *Mr. Leech*, *Mr. Galloway*, *Mr. Roberdeau* and *Mr. Rhoads* be a Committee to prepare and bring in a Bill for appointing a new Officer to collect the said Duty.

The House then took up the Governor's Message of Yesterday, which was again read, and, after a considerable Debate thereon, adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 6, 1761.

The House met, pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

April 7, 1761.

The Committee appointed to prepare and bring in a Supplement to the Act for preventing the Exportation of bad and unmerchantable Staves, Heading, Boards and Timber, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Committee appointed to prepare and bring in a Supplement to the Act for laying a Duty on *Negroes* and *Mulattoe* Slaves, imported into this Province, reported, they had essayed a Draught for that Purpose, which they begged Leave to present to the Chair, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Governor's Message of the Third Instant, with the Secretary of State's and General *Amherst's* Letters, requiring a further Levy of Troops in this Province, for the Service of the ensuing Campaign; and, after a considerable Debate thereon, the following Question was put, *viz.* Whether, in Pursuance of the Requisition of the Crown (by the Secretary of State's Letter of the Seventeenth of *December* last) this House will agree to raise

a further Number of Men, to be added to those already granted, for the Service of the current Year?

Resolved in the Negative.

YEAS.

*Thomas Leech,
Joseph Fox,
Henry Wynkoop,
John Morton,
Joshua Ash,
Roger Hunt,
William Boyd,
Isaac Saunders,
James Webb,
David M^oConnaughy,
William Allen,
John Biers.*

NAYS.

*Joseph Galloway,
John Hughes,
Daniel Roberdeau,
John Baynton,
James Melvin,
Abraham Chapman,
Joseph Hampton,
Giles Knight,
William Smith,
George Ely,
Joseph Gibbons,
Isaac Wayne,
John Blackburn,
John Potts,
Lodowick Beeting.*

Then the House adjourned to Three o'Clock, P. M.

Ordered, That Mr. Galloway, Mr. Hughes, Mr. Baynton, Mr. Knight, Mr. Wayne, Mr. Potts and Mr. Beeting be a Committee to prepare and bring in an Answer to the Governor's Message, accompanying the Secretary of State's and General Amherst's Letters, requiring a further Aid of Troops from this Province.

A Petition from a Number of Merchants of the City of Philadelphia was presented to the House and read, praying that the Effect of the Law now under Consideration for laying a Duty on *Negroes*, &c. may be suspended till after the Arrival of such Slaves as the Petitioners had given Orders for, before they had any Information of such Law being intended.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 8, 1761.

The Supplement to the Act, entituled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves, imported into this Province*," being read the second time, was ordered to be transcribed for a third Reading.

The House resumed the Consideration of the Supplement to the Act, entituled, "*An Act for preventing the Exportation of bad or unmerchantable Staves, Heading, Boards and Timber*," which being in Part read the second time, and some Objections

arising thereto, the same was re-committed to the Committee that brought it in, for Amendment.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from a Number of Merchants of the City of *Philadelphia* was presented to the House and read, setting forth, that considerable Interruptions have arisen to Trade from Want of proper Persons, legally authorised, to examine into, and ascertain, the Loss upon damaged Cargoes coming into this Port; and praying a Bill may be framed, and presented to the Governor, for Remedy of such Inconvenience.

Referred to further Consideration.

The Supplement to the Act for laying a Duty upon *Negroes*, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Ash* and Mr. *Boyd* wait on the Governor therewith, for his Assent to the same.

The Members return, and report, they had delivered the said Bill according to Order; and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 9, 1761.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Third Instant, reported, they had essayed a Draught for that Purpose, which a Member of the Committee first read at his Seat, and then presented at the Table, where the same being again read, after some Debate thereon, the House adjourned to Four o'Clock in the Afternoon.

The House resumed the Consideration of their Answer to the Governor's Message, which was again read, and, after further Debate thereon, they adjourned to Ten o'Clock To-morrow Morning.

April 10, 1761.

The House proceeded in the Consideration of their Answer to the Governor's Message, which having been debated by Paragraphs, was ordered to be transcribed.

The House then took up the Petition of *John Gordon*, and being of Opinion that his Book, lately presented to them, contains some Things which may be useful, and deserve Encouragement,

Resolved, That the Sum of *Ten Pounds* be given to the said *Gordon*; and an Order on the Provincial Treasurer for the

said Sum being drawn at the Table, the same was signed by the Speaker, and delivered to the Petitioner.

Then the House adjourned to Three o'Clock, *P. M.*

The Answer of the House to the Governor's Message of the Third Instant, being transcribed according to Order, was again read, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

YOUR Message of the Third Instant, with the Secretary of State's and General *Amherst's* Letters attending it, we took into immediate Consideration, and actuated by the same Zeal and Loyalty to his present most excellent Majesty, with the same Regard to the Welfare of the Nation in general, and his *American Colonies* in particular, which we have so often heretofore demonstrated, we were most sincerely disposed, as far as in us lay, to comply with the Requisition signified to your Honour in those Letters; but, upon taking a View of the present Circumstances of the Province; the Load of Debt already imposed on the People; the Mode pointed out to us for granting Supplies, contrary to those Rights which we hold ourselves indispensably bound to preserve; the Injury which must attend the Property of our Constituents, should we pursue that Mode, and the great Insecurity of our Bills of Credit, should we deviate from it; we are of Opinion it is not in our Power to grant the Aids required, consistent with that Justice and Duty we owe to the People we represent.

Since the Commencement of the present War, the Assemblies of *Pennsylvania* have granted to the Crown upwards of Half a Million of Money, a Part of Which was given out of a particular Fund, of which they had then the sole Disposition, contrary to the Will and express Declarations of the then Governor; other great Part thereof, at a Time when Proprietary Instructions restrained that Discretion and free Exercise of Judgment in the Governor which was absolutely necessary for the Safety of the Colony—Instructions that occasioned such Impediments to the Supplies then repeatedly offered, that had not the Assemblies waved their just Rights, and formed their Bills agreeable to them, no Aids could have been granted, or the Country defended against the Enemy then ravaging its Frontiers.

In the Years 1757 and 1758 two Laws were passed, granting to the Crown the Sum of *One Hundred Thousand Pounds* each, in which the Proprietary Estates were exempted from bearing any Part of the Burden; which Laws received the Approbation of the Crown. In the Year 1759 the Assembly, moved by their usual Zeal for his Majesty's Service, again complied with

the full Requisition of the Crown, and granted another *Hundred Thousand Pounds*, for the Service of that Year;—And in the Year 1760 the same Sum was granted for like Purposes; and, in order to give his Majesty the immediate Benefit of the Sums granted, the respective Assemblies prepared two several Bills for striking the same in Bills of Credit, and for establishing a Fund for sinking the same, in such just and reasonable Manner as had before received the Royal Approbation; with this only Difference, that the Proprietary Estate was included, and directed to bear a proportionable Part of the Sums which had been, and were to be, expended for its Protection.

These Bills your Honour well knows received the Assent of the respective Governors,—the People of the Province reposing a Confidence in the Approbation of the Representatives of the Crown thus given to the said Laws, and trusting that Aids so cheerfully granted would receive the Royal Approbation, as our former Acts had done, did, with the utmost Readiness, receive the Bills of Credit thereby made current, and pay in Lieu thereof to the Servants of the Crown, a full and valuable Consideration.

The Law passed in the Year 1759, your Honour is well informed, has been presented to his Majesty, for his Royal Approbation; and notwithstanding the Assent of the Governor so given, and the Approbation of the Crown to our former Laws, and the Confidence thereby created in the People; notwithstanding the Bills of Credit made current by the said Law were actually issued for their full Value, the Lords of his late Majesty's Council were pleased to report the said Law to his Majesty as "fundamentally wrong and unjust, and that it ought to be repealed," unless certain Amendments and Alterations, proposed by them, should be made therein by the Assembly of the Province, in regard to taxing the Proprietary Estates.—To these Proposals our Agents thought themselves under a Necessity of acceding, in order to avert from the Province that Confusion in Trade and Commerce, and Loss to the *British* Merchants, as well as to the People to whom those Bills of Credit were issued, which a sudden Annihilation of them, by a Repeal of the Law, must of Necessity occasion.

As soon as we received the Report of the Council, and the Engagements of our Agents, we appointed a Committee to enquire into the Reasonableness of them, and the State of the Proprietary Taxes under that Law; from whose Report, already presented to your Honour, we find that no Kind of

Injustice has been done in the Mode of taxing their Estates; but, on the contrary, that they have been rather rated and assessed, in many Instances, lower than others under like Circumstances.

It is, may it please your Honour, with the utmost Concern we reflect that the other Act, granting *One Hundred Thousand Pounds* to the Crown in the Year 1760, of the same Nature, remains, so far as we know, still unpresented, and in Suspence; and that, should we refuse to comply with the proposed Alterations and Amendments, we have Reason to apprehend the same Measures may be essayed by the Proprietaries to procure a Repeal thereof, without Regard to the Mischief and Confusion it must inevitably produce in its Consequences to the Province; and should we comply therewith, that very Compliance must be esteemed a high Breach of Trust by the People, whose Rights and Privileges we are bound in Duty to preserve; it would be waving, at least, if not giving up, one of their most reasonable and essential Privileges, besides doing them great Injury, with respect to their Proportion of Taxes: These Things appear, from the Report of the Lords of the Council, and of the Committee appointed to enquire into the State of the Proprietary Taxes, so evidently, that we apprehend it cannot be necessary to add on the Subject.

Under these Difficulties, it is with great Regret we inform your Honour, that we cannot further comply with his Majesty's Requisition than we did at the last Sitting, by granting upwards of Three Hundred Men, for garrisoning the Fortifications on the Frontiers.

Signed by Order of the House,

April 10, 1761.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Hughes* and Mr. *Roberdeau* wait on the Governor with the foregoing Message, and deliver the same.

The Committee to which the Supplement to the Act for preventing the Exportation of bad or unmerchantable Staves, &c. was re-committed for Amendment, reported some Alterations thereon, which being read, and agreed to by the House, the said Bill was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 11, 1761.

The Members appointed to wait on the Governor with the Answer of the House to his Message of the Third Instant, and to enquire after the Bill sent up to his Honour for his Assent, reported, they had delivered the said Answer according to

Order; and that the Governor was pleased to say, he should return the Bill before him to the House this Forenoon.

The Governor, by Mr. Secretary, sent down the Supplement to the Act, entitled, "*An Act for laying a Duty on Negroes and Mulattoe Slaves imported into this Province,*" and acquainted the House that he should be ready to pass the same, when presented to him for that Purpose.

The Supplement to the Act, entitled, "*An Act to prevent the Exportation of bad or unmerchutable Staves, Heading, Boards and Timber,*" being transcribed, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Fox and Mr. Roberdeau do wait upon the Governor therewith, for his Assent to the same.

Upon Representation by Mr. Allen, that great Difficulties and Delays have arisen to the Courts of Oyer and Terminer, in collecting Jurors for Trial of Causes depending therein, which have been repeatedly put off from Time to Time, to the Obstruction of Justice, and manifest Injury of the Public,

Ordered, That the Committee appointed at the last Sitting of this House to prepare and bring in a Bill for limiting the Continuance of Actions in the Courts of this Province, do add a Clause to the said Bill, for enforcing a more punctual Attendance of Jurors on the said Courts.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 13, 1761.

Mr. Speaker, with Twenty of the Members, met, pursuant to Adjournment; and a Quorum not appearing they adjourned to Eleven o'Clock To-morrow Morning.

April 14, 1761.

Mr. Speaker, with Two and Twenty Members, met, pursuant to Adjournment; and a Quorum being still wanting, they adjourned to Three o'Clock in the Afternoon.

A Quorum met, pursuant to Adjournment.

The Governor, by Mr. Secretary, returned the Supplement to the Act, entitled, "*An Act for preventing the Exportation of bad or unmerchutable Staves, Heading, Boards and Timber,*" and acquainted the House, that he was ready to pass the same, whenever presented to him for that Purpose.

Mr. Secretary also delivered a written Message from his Honour to the House, with a Letter just received from General

Amherst, which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'It is with great Concern that I find myself obliged to animadvert, in a Manner that may not be agreeable, upon any Part of the Proceedings of your House, with whom I have the strongest Desire to live upon good Terms, and in such a State of Harmony as may at all Times conduce to the public Welfare.

'It might, with Reason, have been expected, Gentlemen, that the late solemn Determination of the King in Council, with respect to the Point so long contested betwixt the Governors and Assemblies of this Province, might have satisfied the Minds of all, and have put a Period to any further Disputes of that Kind; both on account of the acknowledged Wisdom and Justice of that Board, as because it is the Tribunal appointed by our Constitution to judge, in the last Resort, of all Proceedings amongst us, whether legislative or judicial.

'It could not therefore but surprise me to see it insinuated in your Message of the Tenth Instant, that because his Majesty and Council (the only competent Judges in Cases of this Nature) were pleased to differ in Sentiment from you, with regard to the Justice and Equity of certain Provisions in your Supply Bill for the Year One Thousand Seven Hundred and Fifty-nine, you will therefore decline granting the Aids now required by the King *for vigorously prosecuting the War, and reducing the Enemy to the Necessity of accepting a Peace on Terms of Glory and Advantage to his Majesty's Crown, and beneficial in particular to his Subjects in America.*

'Were we an independent People, Gentlemen, and not accountable elsewhere, we might then form such a System of Laws and Government as seemed best to ourselves, and dignify whatever we pleased with the Name of Rights and Privileges, without paying the least Regard to the Usages and Precedents of the Mother Country; but you are sensible the Case is quite otherwise, and that all Laws passed in this, as well as in the other Colonies, are, from the very Nature of our Establishment, subject to the Revision and Controul of a Supreme Judicatory, instituted for that and other good Purposes, whose Decisions, with respect to the Equity and Propriety of them, are conclusive: I could have wished therefore, that, considering the Dignity and great Talents of the Members who compose that Board, the Imputation cast upon their Judgement, as being contrary to the Rights, and injurious to the Properties, of your Constituents, had been spared, since Reflections

of this Kind may possibly prove prejudicial, but can never be of any real Service to the Province.

'To what End you have chosen to introduce the History of the several Acts, by which Aids have been granted to the Crown, since the Commencement of the present War, I do not conceive, unless it be for the Opportunity of throwing Reflections upon your Proprietaries, who have not otherwise injured you, or desire to injure you, that I know of, than by seeking to maintain their own just Rights and Properties, (a Privilege never denied to the meanest Subject) both which they thought unjustly attacked, and in which they have been so happy as to be vindicated by those who alone have the Power of judging between them and you.

'It would be an easy Task, Gentlemen, to shew that between the Supply Bill passed in the Year 1757 and 1758, and those passed in 1759 and 1760, there is no such Similitude as to induce a necessary Inference, that because the former have received the Royal Approbation, the latter are also intitled to the same Indulgence; for till plain Contradictions can be reconciled, it is impossible that any two Things should be more unlike each other, with respect to one principal Object, than the Bills passed at those different Periods of Time; inasmuch as in the former the Proprietary Estates, for a valuable Consideration, which you have not thought fit to take Notice of, were totally exempted from all Assessment whatever, but in the latter are subjected to a very unequal one, from which they can only be secured by the Integrity of the Commissioners and Assessors.

'Nor can I think you ought to have built much more upon the Approbation given to those Acts by the respective Governors who passed them, since, upon inspecting the Journals of your own House, you might easily have seen that the Assent given to those Acts was by no means voluntary, but the Effect of Necessity, and extorted from at least one of them, at a Time when the Assembly refused to grant to his Majesty the necessary Supplies upon any other Conditions.

'But as I have no Pleasure, Gentlemen, in Controversies of this Kind, nor shall ever engage in them without being in some Measure constrained thereto, I am glad to be called off from any further Animadversion on your Message, by a Letter I have just received from General *Amherst*, relative to the Business on which you were called together. This Letter I have ordered to be laid before you, and am in Hopes it will have the Effect of inducing you to re-consider his Majesty's Requisition, and to comply therewith in the most speedy and

effectual Manner, in which you cannot fail of doing a Service highly acceptable to his Majesty, and to a Nation that hath conferred such singular Favours upon these Colonies.

April 14, 1761.

JAMES HAMILTON."

GENERAL AMHERST's Letter to the GOVERNOR.

SIR,

New-York, April 10, 1761.

It is no less unexpected (nay astonishing) to me to learn, than it was to you to acquaint me, that your Assembly had come to a Determination not to raise any more than Three Hundred Men granted a few Weeks ago; for though you had not yet been acquainted with their Resolves, as you had heard this from one of the Members of the House, I am afraid it is but too true. I cannot therefore refrain from expressing my highest Disapprobation of so unwarrantable a Non-compliance with the King's Requisition, which, if they do not re-consider and act up to, (as I am inclined to hope they will) I must represent their Backwardness to his Majesty, whose Displeasure I should think they would be sorry to incur; and yet how can they expect to avoid it, if they persist obstinately in their Rejection of his Demands, the Result of which may be no less than of the worst Consequence to the Operations, that must accordingly lie at their Door, and which they will repent, when it is too late.

Their Reasons for Non-compliance are not more excusable than their Refusal.—They have no Right to imagine that the Regular Troops will be carried off the Continent, not to return again.—I shall obey the King's Commands with regard to their Destination.—It behoves them to be no less obedient in granting the Aid the King expects, to secure his *North-American* Conquests, and to furnish their Quota for the Services required of them, that all such Operations as his Majesty has been pleased to plan may be carried on; however, for your particular Satisfaction, I will say thus much, that I do not intend to send them out of their Province, and that they shall not be detained in the Service a Moment longer than there shall be an absolute Occasion; and of this you may make what Use you think proper, to bring them to a better Sense of their Duty, which I am still willing to hope they will hearken to. I am, with great Regard,

S I R, Your most obedient humble Servant,

JEFF. AMHERST."

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 15, 1761.

The House resuming the Consideration of the Governor's Message of Yesterday, with the Secretary of State's Letter, after a considerable Debate thereon, the Question was put, Whether the House will agree to make any Addition to the Number of Men already granted by this Province for the Service of the current Year?—*Resolved in the Affirmative.*

Then the House adjourned to Three o'Clock, *P. M.*

The House resuming the Consideration of their Vote in the Forenoon, after some Time spent therein, it was resolved upon the Question, that Five Hundred Men (Officers included) be forthwith levied, clothed and paid by this Province, to act in Conjunction with his Majesty's *British Forces*, till the Twenty-fifth Day of *November* next, in such Operations as shall be carried on and prosecuted by his Majesty's Commander in Chief in these Parts, during the ensuing Campaign.

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Morton*, Mr. *Wynkoop*, Mr. *Webb*, Mr. *McConnaughy* and Mr. *Byers* be a Committee to prepare and bring in a Bill for granting to his Majesty the Sum of *Thirty Thousand Pounds* to be sunk out of the distributive Shares, allotted to this Province by Parliament.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 16, 1761.

The Committee appointed to prepare and bring in a Bill for granting to his Majesty the Sum of *Thirty Thousand Pounds*, and for striking the same in Bills of Credit, and for providing a Fund for sinking the said Bills of Credit, reported they had essayed a Draught for that Purpose, which they presented to the Chair; and the same being read the first time, was, by special Order, directed to be again read in the Afternoon.

Then the House adjourned to Three o'Clock, *P. M.*

The House, pursuant to their Order in the Forenoon, resumed the Consideration of the Bill for granting *Thirty Thousand Pounds* to his Majesty, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 17, 1761.

The Bill for granting to his Majesty the Sum of *Thirty Thousand Pounds*, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wynkoop* and Mr. *Morton* do wait on the Governor therewith, for his Assent to the same; and acquaint his Honour, that the two Bills to which he hath given his Assent being engrossed, the House have appointed two of their Members to join with some Gentlemen of the Council, to compare the engrossed Copies of the said Bills with their Originals; and should be glad to know when they shall attend the Governor, in order to enact them into Laws.

Then the House adjourned to Five o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill passed by the House in the Forenoon, reported, they had delivered the same according to Order, with the Message they had in Charge; to which his Honour was pleased to say, he should take the said Bill into immediate Consideration, and would chuse to defer passing the two engrossed Bills, till he should come to some Result on the last presented to him, that, in Case he gave his Assent to the same, they might be all passed together.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 18, 1761.

The Governor, by Mr. Secretary, sent down a verbal Message to the House, to the following Effect, *viz.*

"I am ordered, by the Governor, to desire the House will furnish him with a particular Account of all the Certificates and Draughts on the Provincial Treasurer; and also with the Amount of the Money due to the Masters or Owners of Servants heretofore enlisted into his Majesty's Service, and to the Public House-keepers, for quartering Soldiers; which are made payable out of the Supply-Bill, now before him."

Ordered, That the Clerk do immediately make out a List of the said Certificates and Draughts on the Treasurer, with the Amount of the Sums due to the Masters of Servants and Tavernkeepers; which being done accordingly at the Table, the Secretary was called in, and the said List delivered to him from the Chair.

A Petition from *James Read*, Esq; late Clerk of the Crown, was presented to the House and read, praying, that a Petition, some Time since exhibited by him to the Assembly of this Province, relating to his Fees as Clerk of the Crown, may be again read, and Leave given him to be heard thereon, that the House may determine on the said Petition; and Leave being accordingly granted, the Petitioner was called in, and after being heard in Support of his former Petition, withdrew.

The House then taking into Consideration, that a large Sum

of Money, due to *John Hughes*, Esq; for Services done the Public, in Pursuance of a late Act of Assembly, remains still unpaid; after some Debate thereon, the following Certificate for the same was drawn at the Table, signed by Mr. Speaker, and delivered to him, *viz.*

IN ASSEMBLY, APRIL 18, 1761.

These are to certify, that the Sum of Money which shall appear due to *John Hughes*, for Services by him performed and done, in Virtue of an Act of Assembly of this Province, passed in the Thirty-third Year of his late Majesty's Reign, entituled, "*An Act for recording Warrants and Surveys, &c.*" is a Debt justly due, and chargeable to the Province; and ought to be paid, whenever the Committee of Assembly have examined his Accounts, and settled the Sum thereon due to him.

Signed by Order of the House,

ISAAC NORRIS, Speaker."

Ordered, That Mr. *Leech*, Mr. *Rhoads*, Mr. *Wynkoop*, Mr. *Gibbons* and Mr. *Webb* be a Committee to examine the public Papers, transcribed from the Secretary's and Surveyor-General's Offices by the said *Hughes*, and ascertain the Amount thereof.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

April 20, 1761.

Mr. Speaker, with One and Twenty of the Members, met, pursuant to Adjournment; and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

April 21, 1761.

Two Petitions from *Thomas Coombe* and *William Peters*, of the City of *Philadelphia*, were presented to the House and read, praying to be appointed the Officer for collecting the Duties imposed on Persons convicted of heinous Crimes, &c. in the Room of *Spencer Trotter*, lately deceased.—

Ordered to lie on the Table.

The Governor, by Mr. Secretary, returned the Bill for granting to his Majesty the Sum of *Thirty Thousand Pounds*, &c. with a Paper of Amendments thereon; which being read, the Question was put, Whether the House will adhere to the Bill as it now stands?—and the same was resolved in the affirmative, by a great Majority.

Ordered, That Mr. *Roberdeau* and Mr. *Rhoads* wait on the Governor, and return the said Bill, for his further Considera-

tion; and enquire when his Honour will be pleased to meet the House, to enact into Laws the two Bills to which he hath given his Assent, the said Bills being engrossed for that Purpose.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor, and return the Bill sent down in the Forenoon, reported they had done the same according to Order; and that his Honour was pleased to say, he would take the said Bill again into Consideration, and acquaint the House when he should be ready to enact the Bills already agreed on into Laws.

The House resumed the Consideration of the Petition of *Thomas Coombe*, which was again read; and the Question being put, Whether the said *Coombe* shall be the Officer to collect the Duty imposed on Persons convicted of heinous Crimes, and others imported into this Province?—the same was resolved in the Affirmative, by a great Majority.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 22, 1761.

The Governor, by Mr. Secretary, sent down the Bill, entitled, "*An Act for granting to his Majesty the Sum of Thirty Thousand Pounds, &c.*" with a written Message to the House, which was read, and follows in these Words, *viz.*

GENTLEMEN,

'It was no less a Surprise than Concern to me, on perusing your Bill for granting to his Majesty the Sum of *Thirty Thousand Pounds*, to find, that within a few months after his late Majesty had so expressly declared his Disapprobation of several Provisions contained in your late Acts, as to make them the Foundation of their repeal, you have again ventured to renew them, and insert them in the present Bill, as if no such Censure or Disapprobation had ever passed.

'With what View or Intention you have done this, I do not take upon me to determine; yet thus much I must have Leave to say, that it is a strong Evidence of your paying but a very slender Regard to the Judgment of the King and his Ministers, when of all the Particulars objected to by them, so far as they are applicable to this Bill, you have not thought fit to conform to their Sentiments, in respect to any one of them.

'You cannot be unacquainted, Gentlemen, that in the Report of the Lords of Trade and Plantations, approved and confirmed by his late Majesty in Council, the three following Particulars were not only objected to, but severely censured, as being either Encroachments on the Prerogatives of the

Crown, or Acts of Injustice, with regard to your Proprietaries, *viz.*

'*First*, The blending and connecting together, in the same Bill, Things which in their own Nature are totally separate, by which the Crown is reduced to the Alternative either of passing what it disapproves, or of rejecting what may be necessary for the public Service, and which is expressly called a Tack.

'*Secondly*, The vesting in yourselves alone the Application of the public Money, usurping, by this Means, one of the most inviolable Prerogatives of the executive Power, not countenanced by any Example of the *British* Parliament, who always consider the Application of the Public Money subject to Account, as one of the most indisputed Powers of the Crown.

'*Thirdly*, Your contending that the Proprietaries should be bound to receive their Rents in Paper Currency, notwithstanding the express Words of their Covenants in Sterling.

'Having thus recited the Purport of his late Majesty's Sentiments upon these several Points, I shall proceed to shew, that by the Bill sent up for my Concurrence, every Rule and Principle therein established, is either directly or virtually contravened and set at nought; but, in order to do this the more clearly, it is necessary to state the Facts upon the first and second Objections fully, by which Means the Proof of both may be comprised under one and the same Article.

'Since the Commencement of the present War, the Parliament of *Great-Britain* have, from Time to Time, granted large Sums of Money, to be apportioned by the King to the several Colonies, for reimbursing them a Part of the Expences they have been put to, by the Aids they have granted to his Majesty for prosecuting the War in *America*. In Consequence hereof, a considerable Sum of Money hath been allotted, and is ready to be paid, for the Use of this Province, whenever a Person shall be properly authorized, by both Branches of the Legislature, to receive it, and not otherwise; for as the Money was granted to the whole Legislature, the Board appointed to pay it have insisted, that the Person applying to receive it, should be empowered by the same Authority. The Governor, as one Branch of the Legislature, in *September* last, did offer to join with the Assembly in appointing Agents to apply for, and receive the Money so granted, on Condition of his retaining a concurrent Power, with them, in the superintending and applying it to the Purposes to be appointed by Law. The Assembly, on the contrary, being desirous to deprive the Governor of any Share or Management of the Money

granted, or to be granted by Parliament, as aforesaid, and to subject the Whole to their own Power, independent of him (under the Pretence, indeed, of applying it to the Payment of the public Debts, and in Abatement of the Taxes) did present to him a separate Bill, "*for the Appointment of Agents to receive the same, and invest it in the public Stocks, in their own Names; and empowering the Trustees of the Loan-Office, when thereto required, by the immediate Direction of the House, to draw upon them for the Money, and apply it to the Purposes aforesaid.*" But, as they had therein attempted to deprive the Governor both of this Share in the Nomination of the Agents, and of any concurrent Power with themselves in the Superintendence and due Application of the Money, and had not limited a Time in which the said Money should be drawn for, and applied as aforesaid; he therefore refused his Assent to the Bill. After which the House, no longer expecting to accomplish their Purposes by a separate Bill, have now seized the Occasion of his Majesty's demanding an Aid from the Province, to blend and connect these unconstitutional Claims with the Supply Bill, which they will not suffer to be altered or amended, in order to oblige the Governor either to give up so essential a Branch of the Prerogative, or to subject himself to the King's Displeasure, for refusing the Supplies offered him.

'If these Facts be rightly stated, Gentlemen, as I conceive they are, then the Clause in your Bill, relating to the Management and Disposition of the Money granted by Parliament, which is the same in Effect I refused my Assent to before, and its being inseparably joined to the Clauses for granting an Aid to his Majesty, will, in my Opinion, be a convincing Proof that the present Bill is justly liable to the Censure passed upon the former Acts, of being both a Tack to the Supply Bill (by which the King's Representative is denied the free Use of his Negative in the Legislature) and as tending to usurp one of the most inviolable Prerogatives of the executive Power, in the Application of the public Money subject to Account, which being once given up, would be to change, in a great Degree, the Constitution, and sap the Foundations of Government.

'With respect to the third Point—The Lords of Trade in their Report, of which you have a Copy, have reasoned so fully, and so much better than I am capable of, on the Subject of your contending, that the Proprietaries should be bound to receive their Quit-rents in Paper Currency, notwithstanding their express Covenants in Sterling, and have also expressed

his Majesty's Opinion in respect to Reservations of that Kind, in Colonies immediately under his own Government, that I shall not venture to say any Thing further upon that Head, but only put you in Mind, that your present Bill contains a Clause of the same Nature with that objected to by his Majesty in Council, and that you have not offered any Compensation to the Proprietaries for the Loss they are to sustain thereby, though former Assemblies were both sensible of the Justice of such Compensation, and made it accordingly.

'I was in great Hopes, Gentlemen, that on your being convened to consider of his Majesty's Requisition, you would not have fallen short of the other Colonies, in a zealous and ready Compliance with it, considering the Importance of the Service for which your Aid is required; and I flattered myself that this might have been easily done, without laying any new Burdens upon the People, or running the Risk of our falling into fresh Contentions about the Means of doing it, as has been too often the Case in respect to Bills of this Nature; but as these Means do not seem to have occurred to you, I hope to be excused for pointing them out to you.

'You are sensible, Gentlemen, that there is a Sum of Money lying in the Hands of your Agent in *England* (Part of the Parliamentary Grant) more than sufficient to answer all the Purposes of the present Bill, even though you had doubled the Number of Men thereby granted to his Majesty: And since the making Use of this Money could occasion no Controversy between you and me, why might not a Bill have been prepared, empowering the Trustees forthwith to draw for it, and pay the Produce, or such Part as should be necessary, into the Hands of the Commissioners, to be applied to the present Service?—Or to what End should you think of overwhelming the Province with Floods of Paper Money, at a Time when that Currency is depreciating so fast, as must necessarily prove injurious, not only to the *English* Merchants trading hither, but to every Man in the Province, who is possessed of Property in a personal Estate, and more particularly to Widows and Orphans?—Or why would you chuse to propose creating a Fund for sinking this Money, upon Terms, which you well know I neither ought or can accept of, without breaking in upon the just and established Rights of Government? when all these Difficulties and Inconveniences might be so easily avoided, by making Use of that Fund which is absolutely in your Power.

'Perhaps you will say, Gentlemen, that the Money lying in your Agent's Hands is, by Law, appropriated to the Payment

of the public Debts, and therefore ought not to be diverted to any other Service—But pray, Gentlemen, has one Shilling of it as yet been applied to that Purpose?—Or, if that was an Objection to our using it for any other Service, does it not equally lie against the making Use of the Money heretofore allotted, and not received, as a Fund for sinking the Sum of *Thirty Thousand Pounds* in Bills of Credit, voted to his Majesty, as you have proposed in the present Bill?—the Cases then are exactly similar, except that you chuse to give Money, of which we are not possessed, rather than that of which we are.

‘But further to obviate that Objection, you may please to remember, Gentlemen, that there is an express Provision in the Act, empowering the Governor and Assembly to dispose of the Money in your Agents Hands, to any Purpose they think fit. And I do not think it can be better disposed of, than by granting such a Part of it to his Majesty, as may be sufficient for the present Service, and applying the Remainder (if any) to the payment of the public Debts, and in abatement of the Taxes; for I can by no Means think it reputable to, or becoming any Government to be trafficking with the People’s Money, while they at the same Time are paying Taxes for it. Dealing in the Stocks, has always been deemed as a more reputable Sort of Gaming, by which Loss, as well as Gain, may accrue to the Adventurers: Individuals may do as they please with their own Money; but the giving Ease to the People, by lightening the Burden of their Taxes, ought not to be delayed, under the precarious Expectation of increasing the public Stock.

‘Upon the Whole, Gentlemen, a Regard to the just Rights of Government, which I shall, on all Occasions, think myself indispensably obliged to support and maintain, and the great Deference I bear to the Judgment and Opinion of our late gracious Sovereign, and his Ministers, who have actually repealed some of the Acts of this Province, for the Reasons I have above set forth, render it impossible for me to give my Assent to the Bill now before me. At the same Time I cannot but express the highest Concern, lest his Majesty’s Service should be obstructed, if any Difference in Opinion between us, on the present Occasion, should deprive him of the Aids he demands from this Province. I must therefore recommend it to you, Gentlemen, in the warmest Manner, to re-consider the Bill; and, if you will not accede to the Amendments I have proposed thereto, to fall on some other Means of complying with his Majesty’s most reasonable Requisition, by

forming a new Bill, free from the Objections I have herein pointed out to you.

April 22, 1761.

JAMES HAMILTON."

Mr. Secretary also acquainted the House, that his Honour had appointed two Members of Council to compare the Bills agreed on, with their engrossed Copies, and should be ready to meet the House at Twelve o'Clock this Day, to enact the same into Laws.

Ordered, That Mr. *Fox* and Mr. *Rhoads* do join with the Members of Council in collating the said engrossed Bills.

Resolved, That the House will wait on the Governor with the said Bills at One o'Clock.

The Members appointed to assist the Gentlemen of the Council in comparing the engrossed Bills with their Originals, reported they had done the same, and found them to agree.

A Message by the Secretary:

S I R,

"The Governor requires the Attendance of Mr. Speaker and the House in the Council Chamber, to enact into Laws the Bills to which he hath given his Assent."

Ordered, That Mr. *Fox* and Mr. *Roberdeau* do see the Great Seal affixed to the said Bills, and the same deposited in the Rolls Office, after they are passed into Laws.

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor with two Bills, respectively entituled as follow, *viz.* "*A Supplement to the Act, entituled, An Act for laying a Duty on Negroes and Mulattoe Slaves, imported into this Province.*"—"A Supplement to the Act, entituled, *An Act to prevent the Exportation of bad and unmerchantable Staves, Heading, Boards and Timber,*" which said two Bills his Honour had been pleased to give his Assent to, by enacting the same into Laws.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to see the Great Seal affixed to the Laws enacted in the Forenoon, reported, that the same had been done according to Order, and the said Laws deposited in the Rolls Office.

The House resumed the Consideration of the Governor's Message of this Day, and having spent some Time therein, the following Questions were severally put, *viz.*

First, Whether the House will re-consider the Bill returned by the Governor for granting Supplies to the Crown?—*Resolved in the Negative.*

Secondly, Whether the House will prepare and offer to the

Governor a new Bill for the Purpose aforesaid?—*Resolved in the Negative by a great Majority.*

Ordered, That Mr. Leech, Mr. Fox, Mr. Hughes, Mr. Rhoads, Mr. Wynkoop, Mr. Morton, Mr. Webb, Mr. M'Connaughy, Mr. Byers, Mr. Potts and Mr. Beeting be a Committee to prepare and bring in an Answer to the Governor's Message of this Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

April 23, 1761.

The Committee appointed to prepare an Answer to the Governor's Message of Yesterday, reported they had made some Progress therein, and requested further Time to complete the same.

A Petition from *John Clare*, of the City *Philadelphia*, was presented to the House and read, setting forth, that he had been employed for three Years past by the late Collector of Tonnage, &c. as a Measurer of Vessels, for which he never received more than two Years Wages, and *Thirty Shillings* in Part of the Third; that upon Application to the Administrators of the said Collector's Estate, he is informed they cannot pay him the Remainder of his Demand; he therefore prays the House would consider his Case, and direct Payment of what is due to him, as he must otherwise, from the Necessity of his Circumstances, be a great Sufferer.—*Referred to further Consideration.*

Then the House adjourned to Five o'Clock, *P. M.*

The Committee appointed to prepare an Answer to the Governor's Message of Yesterday, reported they had essayed a short Draught for that Purpose, which they presented to the Chair, and the same being read, agreed to by the House, and transcribed, was signed by the Speaker, and follows in these Words, *viz.*

May it please your Honour,

We have taken into Consideration your Message, which attended the Bill for granting Supplies to the Crown, in Pursuance of his Majesty's gracious Requisition, and cannot, consistent with the Rights of Assembly, and that Duty we owe the People we represent, admit of the Amendments proposed therein; nor can we think of framing a new Bill for this Purpose, as we have already prepared, and presented to your Honour, a Bill similar in its Essentials to one which hath received the Approbation of his Majesty, and as we apprehend reasonable and just in all its Parts; besides, we know of no other Method, consistent with our Rights, but may be liable

to Objections of equal Weight with those made by your Honour to the said Bill.

The House being very much fatigued with the great Length of Time spent in the public Business, at this inconvenient Season of the Year, are obliged to content themselves for the present with this general Answer; but as your two last Messages contain Matters which we think it our indispensable Duty to answer in a more particular Manner, we have appointed a Committee to report more fully thereon to the House at their next Meeting.

Signed by Order of the House,

April 23, 1761.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Wynkoop and Mr. Carpenter wait on the Governor with the foregoing Message, and acquaint him, that the House incline to adjourn to *Monday* the Seventh Day of *September* next, if his Honour hath no Objection thereto.

The Members return and report, they had delivered the Answer of the House to the Governor, and acquainted him with their proposed Adjournment, to which his Honour was pleased to say he had no Objection, unless they could agree to frame a new Bill, or accede to the Amendments on the Bill lately presented to him.

Ordered, That the Committee appointed to answer the Governor's last Message, do more fully consider that, and the preceding one, and report thereon to the House at their next Meeting.

Then the House adjourned to *Monday* the Seventh Day of *September* next, at Four o'Clock, in the Afternoon.

September 7, 1761.

Mr. Speaker, with Nineteen other Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Three o'Clock To-morrow Afternoon.

September 8, 1761.

Mr. Speaker, with the Members present last Night, and two others, who came in since, met, pursuant to Adjournment, but a Quorum being still wanting,

Ordered, that the Clerk do, by special Messenger, acquaint Mr. Morton, Mr. Wayne, Mr. Hamton and Mr. Wynkoop, that their Attendance is immediately required by the House.

The Members present then adjourned to Three o'Clock To-morrow Afternoon.

September 9, 1761.

A Quorum met, pursuant to Adjournment.

Ordered, That Mr. Rhoads and Mr. Wayne wait on the

Governor, and acquaint him, that a Quorum being met, pursuant to Adjournment, are ready to proceed on any Business he may be pleased to lay before them.

The Members return, and report, that his Honour expecting such Notice from the House of their being met, had prepared a Message to be laid before them, and that the Secretary should immediately attend the House therewith.

Mr. Secretary attending accordingly, laid before the House a written Message from the Governor, with a Copy of the Treaty lately held at *Easton*, and sundry other Papers therein referred to, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

‘SINCE your Adjournment I received, very unexpectedly, a Message from the Chiefs of a considerable Number of *Indians*, living to the Northward, and upon the Head Branches of the River *Susquehanna*, consisting of *Six Nations, Delawares, Nanticokes*, &c. in which Message they acquainted me, that, in Consequence of an Invitation from this Government, they had proceeded as far as *Wyominck*, in their Way to *Easton*, where the Council Fire had of late been kindled, and where they desired that I would give them a Meeting.

‘Being conscious that no such Invitation had been given them by me, and foreseeing how great an Expence the proposed Interview would necessarily bring upon the Province, I was uneasy and uncertain what to do upon the Occasion.

‘But on considering the ticklish Situation of our Affairs with those People, together with an Information I had just before received, that a Dissatisfaction was prevailing among them, on Account of some supposed Neglect or ill Treatment from the *English*, I thought it might be for the public Service forthwith to attend them, and to use my best Endeavours to efface any Impressions of that Sort, before they should have taken too deep Root in their Minds to be easily removed—and accordingly, by the Advice of the Council, and of some of the Gentlemen of your House, I did repair to *Easton* the Beginning of the last Month; where sundry Conferences (I hope to good Effect) were held between me and those *Indians*; the Substance whereof is contained in the Treaty I have ordered to be now laid before you.

‘The Gentlemen who, on the Part of the Provincial Commissioners, attended and defrayed the Expences of the Treaty, will lay the Accounts before you; and although the Charges that have arisen thereupon cannot but appear to be extremely high; yet, when you call to Mind of how great Importance it is to

remove all Misunderstandings, and even Jealousies, from the Minds of those People, and to conciliate, as much as possible, their Friendship and Affection to the *English* Nation, I cannot entertain the least Doubt but you will approve of what hath been done on the present Occasion, notwithstanding that it does not appear they had any particular Business of Consequence to transact with the Government, which necessarily called upon them to come down at that Time.

September 8, 1761.

JAMES HAMILTON."

With the foregoing Message, and Minutes of the late *Indian* Treaty held at *Easton*, Mr. Secretary also delivered sundry Papers of Intelligence from *Timothy Horsfield*, Esq; and some Affidavits, concerning the late Rumour of fresh Outrages committed on the Frontiers by *Indians*; the Reading whereof being deferred till To-morrow,

The House adjourned to Ten o'Clock To-morrow Morning.

September 10, 1761.

A Petition from sundry Owners of Meadow Lands, in the Township of *Passyunk*, in the County of *Philadelphia*, was presented to the House and read, setting forth, that the said Meadow Lands are subject, from Time to Time, to great Inundations, through Default of the Banks and Sluices by which they are at present defended; and praying they may be permitted to bring in a Bill for keeping the said Banks and Sluices in proper Repair, for the better Security of the said Meadows.

Referred to further Consideration.

The House then proceeded to the Consideration of the several Affidavits, and other Papers of Intelligence, sent down with the Governor's Message of Yesterday, concerning the late Rumour of Disturbances on the Frontiers; which were severally read, by Order.

The Committee appointed, at a former Sitting of Assembly, to prepare and bring in a Bill for limiting the Continuance of Actions in the Courts of this Province, reported they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Petition from the Owners of Meadow Land, in the Township of *Passyunk*, and, after some Time spent therein,

Ordered, That the said Petitioners have Leave to bring in a Bill, for the Purpose expressed in their Petition.

Then the House adjourned to Three o'Clock, *P. M.*

Pursuant to Leave given by the House to the Owners of Meadow Land, in the Township of *Passyunk*, to bring in a Bill for better supporting and regulating the said Meadows, a Draught for that Purpose was presented by a Member to the Chair; and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 11, 1761.

Mr. Speaker laid before the House an Address from *Lewis Weiss* and *Peter Miller*, Owners of a Printing-Office in this City; which was read, and follows in these Words, *viz.*

To the Honourable House of REPRESENTATIVES of the
FREEMEN of the Province of *Pennsylvania*, in
GENERAL ASSEMBLY met,

*The Humble ADDRESS of LEWIS WEISS and PETER MILLER,
Owners of a Printing-Office in Philadelphia.*

May is please this Honourable HOUSE,

WE present this Honourable House with some Copies of a new printed Collection of the *Laws of this Province*, put together in that Series or Order in which they were passed since the Year 1700, down to the End of Governor *Denny's* Administration, in *September, 1759*. Those Laws that now are, or at the Time of their being under the Press have been in Force, being printed at Length, mentioning only the Titles of all such other Laws as are repealed by the Crown, or by Acts of Assembly, or are supplied or expired, or become obsolete, or are private Acts; referring always the Reader to the Book and Page of the public Records.

We have also inserted, in the same Collection, Copies of all the *Royal Confirmations and Repeals*, that are come to our Knowledge.

We have put on the Head of this new Edition, a Collection of all the *Charters* for the Province in general, and the several Town-Corporations in the same.

We are actually printing now the *Catalogue of all the Laws* that ever have been passed by the Government of this Province, since its first Establishment; namely, from the Laws agreed upon in *England, 1682*, down to the Year 1700; together with a Collection of all the Laws that have been formerly in Force within this Province, *for regulating of Descents*, and transferring the Property of Lands, but are since expired, altered, or repealed, from the Establishment of the Province down to this present Time.

We intend to add to the Whole an Index, or Table, referring to all the Matters and Things that are determined and settled as Points in Law, by any Act or Acts of Assembly in this Province.

We have carefully examined and compared with the Originals, in the Rolls Office, by the Assistance of the Master of the said Office, all the Laws and Titles of Laws contained and mentioned in this new Collection. A Specimen of our Examinations we beg Leave to present to this Honourable House, it being the Edition of our Laws printed in the Year 1742: In the Margin whereof, we have marked the different Readings of the Original with the Titles of Thirteen Laws that have been omitted therein, without taking any Notice thereof, *vide* Page 34, 35, 36, 107, 290 and 472. And we pray, that this our Specimen may be permitted to remain among the public Papers of the House of Representatives; as in Time to come it might, perhaps, be of some Service to such Persons as shall be employed to collect and revise the Laws of this Province.

Being first induced, by our Inclination, to supply the Public with a Book that is so much wanted, we have, by the benevolent Reception our Address of *September* last Year has met with in the House of Representatives, been further encouraged to go chearfully through all the Trouble and Expences we have been at, to render this Work as complete and accurate as our Abilities would permit.

We now pray this Honourable House to enquire into the Merits of this new Edition of the Laws, and to give it such public Character and Sanction, as to you, in your Wisdom, shall seem meet.

LEWIS WEISS and PETER MILLER."

Philadelphia, September 11, 1761.

The House resumed the Consideration of the Bill, entitled, "*An Act to enable the Owners and Possessors of Schuylkill Point Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c.*" which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

Two Petitions (one from *William Griffitts*, late Merchant of this City, the other from a Number of the said *Griffitts's* Creditors) were presented to the House and read, severally setting forth, that the said *Griffitts*, for many Years past, carried on an extensive Trade in the mercantile Way, and that about eighteen Months ago he was obliged to stop Payment,

and on Inspection into the State of his Affairs, it appeared the said *Griffitts* had not sufficient to pay his several Creditors their respective just Demands, whereupon many of them met, and named certain Persons to receive a Conveyance of his Estate in Trust for the Benefit of all his Creditors, with which he complied, and his Wife generously joined therein, and conveyed, for the Use of her Husband's Creditors, a very considerable real Estate, to be sold, and equally divided amongst them, in Proportion to their respective Demands, on Condition that his the said *William Griffitts's* Body should not be held to Bail or imprisoned, which the Trustees, appointed by the Creditors, and most of the said Creditors themselves, thought just and reasonable; but the said *Griffitts* was so "unfortunate as to be indebted to some Persons who, regardless of his and his Family's Distresses, have refused to accept of their Dividend of the Estate so conveyed, holding him the said *Griffitts* to Bail, and he expects soon to be made a close Prisoner in the common Goal, by which the Petitioners apprehend the good Intentions of the Conveyance of the Estate aforesaid will be delayed, if not defeated, to their great Prejudice; wherefore they pray that the House will be pleased to take the Premises into Consideration, and grant such Relief therein as they shall think necessary.

Ordered to lie on the table.

A Petition from a Number of Coopers in the City of *Philadelphia*, was presented to the House and read, complaining of Ignorance, Partiality and Neglect in the Officer appointed by a late Act of Assembly for culling of Staves, Heading, &c. to the great Loss and Prejudice of the Petitioners, and praying the said Officer may be removed, and a more suitable Person appointed in his Room.—*Referred to further Consideration.*

Ordered, That the said Officer be furnished with a Copy of the foregoing Petition, if he should apply for the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Committee appointed, at a former Sitting of the House, to visit the *Pennsylvania* Hospital, and examine into the State of that Institution, made a Report thereon in Writing, which was read, and follows in these Words, *viz.*

September 12, 1761.

Pursuant to Order, your Committee, with the Speaker, and most of the Members of the House, on the Ninth Instant, visited the *Pennsylvania* Hospital, and after viewing the Wards and several Apartments, the Condition of the Patients,

and inspecting the Order and Management of the Charity, were fully satisfied that the Number of sick and diseased Poor there entertained, are well accomodated, provided for, and carefully attended; and by an Account exhibited to us by the Managers, we find the Number of Patients admitted from the first Opening the Hospital, on the 10th of *February*, 1752, to the 28th of *April* last, to be 870

Of whom have been discharged,	{	Cured,	538
		Relieved,	73
		Incurable,	42
		Irregular,	49
		At Request, or taken out by Friends, ..	34
		Dead,	91
Remaining at that Time in the Hospital, ...		43	
<hr/>			870

The Benefits arising from this Institution are now so generally known, as to occasion a great Encrease of the Number of Patients annually received, which has induced the Managers to apply a considerable Part of the Contributions obtained from private Persons for some Years past, towards completing the House, whereby they are prevented making much Addition to their Capital Stock, the Interest arising from which is the only Fund for Support of the Institution, and is not more than Half the Amount of the yearly Expence, as appears by the Accounts delivered us, and contained in the printed Narrative for the last seven Years, which we now lay before the House.

As this Charity has been hitherto carried on with a commendable Spirit, and a generous Disposition still appears among the Inhabitants for its Advancement, we beg Leave to recommend the State thereof to the further Notice of the House, not doubting their Benevolence in promoting an Institution so extensively beneficial to the Distressed, and honourable to the Province.

Submitted to the House, by

JOSEPH FOX,
GILES KNIGHT,
JOHN MORTON,
ISAAC SAUNDERS,
WILLIAM ALLEN,
JOHN POTTS,
LUDOWICK BEETING."

September 12, 1761.

A Petition from the Tavernkeepers of *York-Town*, was pre-

sented to the House and read, praying to be reimbursed their Expences in quartering his Majesty's Troops.

Ordered to lie on the Table.

Ordered, That Mr. Fox, Mr. Rhoads, Mr. Knight, Mr. Morton, Mr. Webb, Mr. Allen, Mr. Blackburn, Mr. Potts and Mr. Beeting be a Committee to prepare and bring in a Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province out of the Sum or Sums of Money granted, or to be granted, by Parliament to his Majesty's Colonies in America.

The House then resuming the Consideration of the Petitions of William Grifitts, and his Creditors, after some Debate thereon,

Ordered, That Mr. Baynton, Mr. Rhoads, Mr. Melvin, Mr. Gibbons, Mr. Saunders, Mr. Blackburn, Mr. Allen, Mr. Potts and Mr. Beeting be a Committee to prepare and bring in a Bill for the Relief of insolvent Debtors within this Province.

Then the House adjourned to Monday next, at Four o'Clock in the Afternoon.

September 14, 1761.

The House met pursuant to Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

September 15, 1761.

The Committee appointed to prepare and bring in a Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Bill for enabling the Owners and Possessors of Schuylkill Point Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Roberdeau and Mr. Morton wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock, P. M.

The Members appointed to wait on the Governor with the Bill for Schuylkill Point Meadows, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 16, 1761.

A Remonstrance from *Isaac Levy*, of the City of *Philadelphia*, Merchant, and one of the Creditors of *William Griffiths*, late of the City aforesaid, was presented to the House and read, praying, for certain Reasons, set forth in the said Remonstrance, that the House will not go into a Law for the Relief of *William Griffiths*, as requested by his other Creditors.

Ordered to lie on the Table.

An Account from the Commissioners for the Provincial Ship of War, of their Disbursements and Expences for Support of the said Ship employed in protecting the Trade of this Province, from the Year 1758, to the Time of her Sale, was presented to the Chair, and *Ordered to lie on the Table.*

The House resumed the Consideration of the Bill for limiting the Continuance of Actions in the Courts of this Province, &c. which being in Part read the second time, and debated by Paragraphs, they adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for limiting the Continuance of Actions in the Courts of this Province, which being further read by Paragraphs, and debated, they adjourned to Ten o'Clock To-morrow Morning.

September 17, 1761.

The House resuming the Consideration of the Bill for limiting the Continuance of Actions in the Courts of this Province, &c. after further Debate thereon, some Objections arising, the said Bill was recommitted to the Committee that brought it in, with the Addition of Mr. *Hughes*, Mr. *Smith*, Mr. *Ashbridge* and Mr. *Webb*, for Amendment and Additions, including some Regulations of the Supreme Court.

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, &c. which being, in Part, read the second time, and debated by Paragraphs, they adjourned to Ten o'Clock To-morrow Morning.

September 18, 1761.

The House resumed the Consideration of the Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, &c. which being further read, and debated, they adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, and the same being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 19, 1761.

The Committee for Incidental Charges reported upon the Account of *Richard Patridge*, Esq; late Agent for this Province, that they find a Balance of *One Hundred and Fifty-two Pounds, Seven Shillings and Five-pence* due to the Estate of the said *Patridge*, which they are of Opinion ought to be paid, and request Mr. Speaker will make Payment of said Balance accordingly.

The Committee appointed to prepare and bring in a Bill for the Relief of Insolvents in general, reported, that not having Time or sufficient Precedents to complete a Draught adapted to the Circumstances of all such Debtors, they had only essayed a Draught of a Bill for the Relief of *William Griffiths*, with respect to the Imprisonment of his Person, which they presented at the Table, and the same being read the first time, was ordered a second Reading.

The Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, &c. being transcribed, was read the third time, and as *Benjamin Franklin*, Esq; one of the Agents for this Province, is desirous to leave *England* sooner than such Trust can be executed, and *Robert Charles* declines to act any longer in that Capacity, the Blanks in the said Bill were filled up with the Names of *John Sargent*, *George Aufrere*, *David Barclay, jun.* and *John Barclay*, Merchants in *London*.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Rhoads* and Mr. *Allen* wait on the Governor therewith, for his Assent to the same.

Resolved, That this House do recommend to the Trustees of the Loan-Office to draw forthwith for the Parliamentary Allotment to *Pennsylvania*, deposited in the Hands of *Benjamin Franklin*, Esq; Agent for the said Province, and that they do order blank Bills to be immediately printed for that Purpose.

Mr. Speaker laid before the House a Letter, of the Tenth of *July* last, from the said *Benjamin Franklin*, Esq; one of

the Agents for this Province, acquainting him, that the said Agent had received from the Treasury the Allotment to this Colony out of the Parliamentary Grant for the Year 1758; but it appearing to the House that the said Allotment hath not been received in Pursuance of their Resolves of the Eighteenth of *October* last, (appointing him, the said *Benjamin Franklin*, with *Robert Charles*, *John Sargent*, and Company, for that Purpose) as no Account is yet arrived of the said Resolves having got to Hand, though transmitted by different Opportunities, agreeable to an Order of the same Date; it is therefore now ordered,

That the Trustees of the General Loan-Office do draw Bills, (as directed by the foregoing Resolve of this Day) on the said *Benjamin Franklin* only, for the said Sum of Money.

Ordered, That the Committee of Correspondence do, by the earliest Opportunities, advise the said *Benjamin Franklin* that such Draughts are, so as aforesaid, to be made on him.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

September 21, 1761.

The House met, pursuant to their Adjournment.

The Members appointed to wait on the Governor with the Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions allotted to this Province, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 22, 1761.

The House resumed the Consideration of the Bill for Relief of *William Griffiths*, with respect to the Imprisonment of his Person, which being read through the second time, and debated by paragraphs, was ordered to be transcribed for a third Reading.

Ordered, That *Mr. Fox*, *Mr. Ely*, *Mr. Ashbridge*, *Mr. Carpenter* and *Mr. Blackburn* be a Committee for Incidental Charges.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That the Trustees of the Loan-Office be served with a Copy of the Resolve of *Saturday* last, requiring them to draw forthwith for the Parliamentary Allotment to this Province for the Year 1758, now lying in the Hands of *Benjamin Franklin*, Esquire.

The Governor, by Mr. Secretary, returned the Bill, entitled, "*An Act to enable the Owners and Possessors of Schuylkill Point Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair, and to raise a Fund to defray the Expence thereof,*" and acquainted the House he should be ready to pass the same when presented to him for that Purpose.

Ordered, That the said Bill be immediately engrossed.

Mr. Secretary also delivered the following verbal Message from his Honour, *viz.*

"The Governor has now under Consideration the Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province out of the Sum or Sums of Money granted, or to be granted, by Parliament to his Majesty's Colonies in *America*; but before he returns the same, or gives an Answer thereto, he desires the House will inform him whether the Trustees of the Loan-Office have drawn for the Sum of *Twenty-six Thousand Nine Hundred and Two Pounds Eight Shillings* Sterling, the Part of the Parliamentary Grant allotted to this Province for the Year 1758; which, by an Act passed in the Thirty-third Year of his late Majesty, was expressly directed to be drawn for by them, and applied in Abatement of the public Taxes; and which he understands has already been received by Mr. *Franklin*."

The House, upon Consideration of the foregoing Message from the Governor,

Ordered, That their Resolve of *Saturday* last, requiring the Trustees of the Loan-Office to draw upon *Benjamin Franklin*, Esq; for the Allotment for the Year 1758, and the Order of this Day to serve the Trustees with a Copy of that Resolve, be immediately transcribed, to be sent up to the Governor; and the same being transcribed accordingly at the Table, it was further

Ordered, That Mr. *Fox* and Mr. *Allen* wait on his Honour with the said Transcript from the Minutes, and acquaint him, that the House having, previous to his verbal Message by the Secretary, entered into a Resolve, and given Orders to the Trustees of the Loan-Office to draw for the said Sum of Money in the Hands of Mr. *Franklin*, they now send the Governor a Copy of the same for his further Satisfaction.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 23, 1761.

The Members appointed to wait on the Governor with the

Extracts from the Minutes, and the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he should be glad the House would furnish him with a List of the Certificates and Draughts already drawn, and such as may be yet drawn by the House for the Service of the current Year.

Ordered, That a List of the said Certificates and Draughts be made out by the Clerk accordingly.

The House then resuming the Consideration of the Account from the Commissioners of the Provincial Ship of War, after some Debate thereon, referred the Examination of the same to the Committee of Accounts, who are to report the State thereof to the House.

The Bill for Relief of *William Griffiths*, with respect to the Imprisonment of his Person, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Rhoads* and Mr. *Morton* do wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for Relief of *William Griffiths*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

A List of Certificates and Draughts already drawn, and to be drawn, by the House, for the Service of the current Year, being made out, pursuant to the Governor's verbal Message of Yesterday, and examined at the Table,

Ordered, That Mr. *Fox* and Mr. *Chapman* do wait on the Governor, and deliver the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 24, 1761.

The Governor, by Mr. Secretary, returned the Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are, or shall be, allotted to this Province, &c. and acquainted the House, he should be ready to pass the same, when presented to him for that Purpose.

Mr. Secretary also returned the Bill for Relief of *William Griffiths*, with a Paper of Amendments thereon, and further acquainted the House, that his Honour was ready to pass the said Bill, whenever presented to him, provided the House shall think proper to admit the said Amendments; which being then

read, and considered, the House agreed to admit the same, and ordered the said Bill to be engrossed accordingly.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read, and is as follows, *viz.*

GENTLEMEN,

'I AM well informed that the legal Fees arising to the Attorney General of this Province, upon Criminal Prosecutions, would by no Means be a Compensation for the great Pains and Trouble attending the Execution of that Office, if the Offenders were all of Ability to pay them.

'But when it is considered, that the unhappy People, who, by their Crimes, subject themselves to such Prosecutions, are, in general, the most indigent of Mankind, and consequently unable to pay, you must be convinced that the Perquisites of that important Office are inconsiderable, and very inadequate to the Service; and of this former Assemblies have been so sensible, that they have frequently given Salaries annually to the Attorney General, as will appear by the Minutes of your House.

'The present Attorney General, Mr. *Chew*, hath held that Office for the last seven Years, during all which Time he hath not received any Reward from the Public, though I have great Reason to believe that he hath discharged his Duty with the utmost Care and Fidelity both to the Crown and to the Public.

'In Justice therefore to him, I think myself obliged to lay his Case before you, and earnestly to recommend it to you to make him such an Allowance for his past Services as you think they deserve, or as hath been usual on the like Occasion.

September 24, 1761.

JAMES HAMILTON."

A Petition from *Benjamin Chew*, Esq; Attorney General for this Province, was presented to the House and read, setting forth, that he hath executed the said Office for upwards of seven Years past; that the legal Fees arising from it, are, in no Sort, adequate to the Time and Trouble required in executing the Duties thereof, and are, in many Prosecutions, never received, the Criminals being, through their extreme Indigence, unable to pay the same, and praying such Compensation for his past Services as the House may think reasonable.

Ordered to lie on the Table.

The Committee appointed to examine and estimate the Amount of the Records, Books and Papers transcribed by *John Hughes*, Esq; from the Secretary's and Surveyor General's Offices, reported, that, in Pursuance of their Appointment, they

had examined the Records, Books and Papers transcribed as aforesaid, and, from the best Estimate they could make thereon, they were of Opinion, that the Account exhibited to the House for that Service, amounting to the Sum of *Thirteen Hundred and Fifty-four Pounds two Shillings*, is just, and agreeable to the Rates settled by the Act of Assembly by which the Officer was appointed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 25, 1761.

The Bill for appointing certain Persons to apply for and receive the distributive Shares and Proportions which are, or shall be, allotted to this Province, &c. being engrossed according to Order, was again read, and compared at the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill to enable the Owners and Possessors of *Schuylkill Point* Meadow Land, in the County of *Philadelphia*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. being engrossed according to Order, was again read, and compared at the Table.

Ordered, That Mr. *Rhoads* and Mr. *Gibbons* wait on the Governor, and acquaint him, that the several Bills to which he hath given his Assent being engrossed, the House request his Honour will be pleased to appoint some Gentlemen of the Council to join with the said two Members in comparing the same.

The House then taking into Consideration the present State of Exchange, and that large Draughts are soon to be made by this Province on their Agent in *Great-Britain*, do recommend to the Trustees of the General Loan-Office to sell none of the said Provincial Draughts for less than *Seventy per Cent.* Exchange, *Pennsylvania* Currency.

The House resumed the Consideration of the Governor's Message of Yesterday, with the Petition of *Benjamin Chew*, Esq; Attorney General, and, after some Debate thereon, the Question was put, Whether this House will allow any Compensation to the said Attorney General for his past Services in the said Office?

Resolved in the Negative.

A Remonstrance from *Hugh Davy*, the Officer appointed by Act of Assembly for culling of Staves, Heading, &c. was presented to the House and read, containing a Justification of his Conduct in the said Office, against certain Charges ex-

hibited to this House in a late Petition from a Number of Coopers of the City of *Philadelphia*.

Referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 26, 1761.

The Bill, entitled, "*An Act for the Relief of William Griffiths, with respect to the Imprisonment of his Person,*" being engrossed according to Order, was again read, and compared at the Table.

The Members appointed to wait on the Governor with the Message of last Night, and to join with some Gentlemen of the Council in comparing the engrossed Bills to which the Governor hath given his Assent, with their Originals, reported, they had delivered the said Message according to Order, and, with some Members of Council, named by his Honour, had compared the said engrossed Bills, which they found to agree with their Originals.

The House then took into Consideration the Governor's Support for the current Year, and, after some Debate thereon,

Resolved, That the Sum of *One Thousand Pounds* be allowed and given to the Honourable JAMES HAMILTON, Esquire, Lieutenant Governor of this Province, for his Support for the current Year.

Ordered, That a Certificate be drawn at the Table for the said Sum of *One Thousand Pounds*, and signed by the Speaker, to be presented to his Honour in Behalf of the House.

Ordered, That Mr. *Rhoads* and Mr. *Gibbons* do see the Great Seal affixed to the several Bills prepared and agreed on, after they shall be enacted into Laws, and the same deposited in the Rolls Office.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker and the House in the Council Chamber immediately."

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, they had waited on the Governor, and presented three Bills, respectively entitled as follow, viz. "*An Act to enable the Owners and Possessors of Schuylkill Point Meadow Land, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair, and to raise a Fund to defray the Expence thereof.*"—"*An Act for appointing certain Persons, herein after named, to apply for and receive the distributive Shares and Propor-*

tions which are, or shall be, allotted to this Province out of the Sum and Sums of Money granted, or to be granted, by Parliament to his Majesty's Colonies in America."—And, "An Act for the Relief of William Griffiths, with respect to the Imprisonment of his Person."—To which several Bills the Governor had been pleased to give his Assent, by enacting the same into Laws; and Mr. Speaker further reported, that he had then, in Behalf of the House, presented their Certificate for a *Thousand Pounds* to the Governor, who was pleased to return his Thanks to the House for the same.

The Members appointed to see the Great Seal affixed to the Laws this Day passed by the Governor, reported, they had seen the same done according to Order, and the said Laws deposited in the Rolls Office.

The House resuming the Consideration of the Report of the Committee appointed to examine and estimate the Amount of the Papers transcribed by *John Hughes*, Esq; from the Secretary's and Surveyor General's Offices, after some Debate thereon, the Question was put, Whether the Books and Papers transcribed by the said *John Hughes* from the Originals in the Secretary's and Surveyor General's Offices, shall be delivered to the Order of this House, and deposited where this House shall think proper to direct?

Resolved in the Affirmative.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee of Accounts, to whom the Ship Commissioners Accounts were referred for Examination, reported, they had carefully inspected the said Account of Disbursements for Support of the *Pennsylvania* Frigate, and find the same accompanied with proper Vouchers for all the Sums expended by the said Commissioners.

The House then resuming the Consideration of their Vote in the Forenoon, concerning the depositing in some safe Place the Books and Papers transcribed by *John Hughes*, Esq; from their Originals in the Secretary's and Surveyor General's Offices, after some Time spent therein,

Ordered, That all the said Records, Books and Papers, transcribed as aforesaid, shall be delivered into the Hands of *Isaac Norris*, (the present Speaker) *Thomas Leech* and *Joseph Fox*, Esquires, or any two of them, who shall deposite the same in the Committee Room, at the East End of the State-house, there to be kept uninspected by any Person till the Meeting of the next Assembly, and that the said *John Hughes* shall, upon Delivery as aforesaid, and not otherwise, of the said Books, Papers and Records, receive the Sum of *Thirteen*

Hundred and Fifty-four Pounds Two Shillings, which the Committee appointed to estimate the Amount of the said Transcripts have reported to be due to the said *John Hughes* for that Service.

Ordered, That the Clerk do serve Mr. *Hughes* with a Copy of the foregoing Minute.

The House then taking into Consideration their Order to the Trustees of the General Loan-Office for drawing Bills of Exchange on *Benjamin Franklin*, Esq; Agent for this Province in *Great-Britain*.

Resolved, That the said Bills be drawn in the same Form as directed by the Act this Day passed, entitled, "*An Act for appointing certain Persons, herein after named, to apply for and receive the distributive Shares and Proportions which are, or shall be, allotted to this Province out of the Sum or Sums of Money granted, or to be granted, by Parliament to his Majesty's Colonies in America.*"

Resolved, That this House will indemnify the said Trustees, their Heirs and Executors, from any Damage that may arise from Protests, or Non-payment of such Draughts.

The Committee appointed to prepare and bring in a Bill for regulating the Supreme Court of this Province, reported, they had begun to essay a Draught for that Purpose, but finding they should not have Time to complete the said Draught during the present Sitting of the House, desire that the same may be recommended to the succeeding Assembly.

The Committee appointed to prepare and bring in a Bill for Relief of insolvent Debtors in general within this Province, reported, that not having sufficient Leisure, during the present Sitting, to complete a Draught for that Purpose, they request the same, together with the Bill for vesting the State-house, &c. in Trustees for the Use of the Public, may be recommended to the Consideration of the next Assembly.

Ordered, That all the Deeds for the said State-house Lots, after they are recorded, be deposited for safe Custody in the Chest in the Committee Room.

The Committee appointed to audit and settle the Accounts of the General Loan-Office, and other public Accounts, to sink and destroy all the Bills of Credit, pursuant to the late Paper Money Acts, and to count all the Money, and report what Sum remains in the Trustees Hands, reported, that having been much interrupted in their Examination of the public Accounts by their necessary Attendance of the House, they have not been able to go through them with sufficient Care and Accuracy during the present Sitting.

The several Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being then read, and signed by Mr. Speaker, by Order of the House,

The House adjourned to the Thirtieth Day of *September* instant.

We, the COMMITTEE appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the Trustees of The General Loan-Office, and other Public Accounts, to sink and destroy all the Bills of Credit, pursuant to the late Paper-money Acts, and to count all the Money, and report what Sum we should actually find in their Hands, REPORT,

THAT on the Twenty-fifth Day of September we counted all the Money in the Hands of the Trustees of the General Loan-Office, and found the Sum of	£31,431 15 7
That upon a strict Examination of all the Mortgage Deeds, whereon any Quotas are due, taken by Virtue of all the Acts of Assembly for emitting Bills, and now remaining in the Loan-Office undischarged, we find there are principal Sums or Quotas yet unpaid,	£14,958 10 0
And Quotas to become due on all Mortgage Deeds remaining in the said office amounting to	13,752 0 0
That it appears by a List of 79 Mortgages, taken for Money let out on the first Reemission of the third Eighty Thousand Pounds Act, the Amount whereof is	£ 5,831 5 0
By Bills of Credit burnt by the Committee,	£2,719 5 8
And the further Sums of	2,831 10 6
	12,952 15 8
	£18,503 11 10
By Balance of the Interest Account, ..	1,485 12 11
	£54,530 19 9
Balance,	25,469 0 3
	£80,000 0 0

THAT the Trustees, on Account of Interest arising from all the Mortgages let out in Pursuance of the several Acts of Assembly, are Charged with the Interest outstanding last Year, .	£ 5,558 14 1
To the Interest arising on all the Mortgages Deeds the current Year,	£ 963 13 11
To the broken Interest received since last Settlement,	1,352 7 3
To the Interest at Discharge,	38 7 10
	£ 2,354 9 0
To Cash received of Isaac Norris, Esq; agreeable to a Resolve of the House, of the Eighteenth of October, 1760, .	1,237 10 0
	£ 9,150 13 1
Balance,	1,485 12 11
	£10,636 6 0

That the Trustees have Credit for Money advanced by them out of the Quotas, to pay sundry Draughts of Assembly,	£ 4,236 1 1
By Loss on Mortgages sold, viz. Hannah Boyte, £16 6 8, Jos. White, £16 11 6,	32 18 2
By Interest outstanding on all the Mortgage Deeds,	4,499 2 9
By Cash paid sundry Orders of Assembly, viz.	

1760.

Sept.

5. Paid Christopher Marshall, for Glass for the State-house,	6 19 0
30. Paid Andrew M'Nair, per Order,	21 19 3

Oct.

1. Paid Samuel Kirke, as Serjeant at Arms,	£ 8 0 0
20. Paid Ditto, for Wood for the State-house,	14 9 4
22. Paid Ditto, for Ditto,	4 4 6
Paid Ditto, for Ditto, April 20,	17 1 2
Paid Ditto, for Ditto, omitted last Year, February 20,	13 14 3
	£ 57 9 3

Nov.

8. Paid Charles Moore, per Order, for Attendance as Clerk to the House, and for transcribing, engrossing, &c.	92 13 6
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Dec.

8. Paid Mary Edwards, Sundries for Debby Montour,	1 9 3
20. Paid Thomas Acherly, for Chairs for the State-House,	3 0 0

1761.

Feb.

21. Paid Nicholas Scull, per Order, ..	71 16 6
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March

2. Paid John Shuter, for Carpenters Work done at the State-house, .	2 8 6
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March

19. Paid Joseph Galloway, Esq; drawing Mortgages,	186 0 0
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May

13. Paid Edward Cary, boarding and schooling Debby Montour,	12 18 0
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August

29. Paid Thomas Janvier, for Work done at the State-house,	2 12 4
By Ditto, paid the Interest on sundry Provincial Notes,	465 15 0
By the Trustees Salary,	500 0 0
By Cash paid for sundry Provincial Notes, sunk by the Committee,	
Principal,	£ 400 0 0
Interest,	43 3 5
	443 3 5

 £10,636 6 0

WE do further Report, that the Provincial Treasurer has paid into the Hands of the Trustees of the General Loan-Office, as per Charles Norris's Receipts, viz.

Of the Twelvepenny Tax,	£ 42 18 10
Of the second Eighteenpenny Tax,	30 19 8
Of the third Eighteenpenny Tax,	3,597 4 1
Of the fourth Eighteenpenny Tax,	22,313 12 3

£25,984 14 10

Deduct for sinking, at 5s. per £100, 64 19 6

£25,919 15 4

Which Sum of Twenty-five Thousand Nine Hundred Nineteen Pounds Fifteen Shillings and Four-pence we the Committee have burnt in Bills of Credit.

THAT we have examined the Accounts of Samuel Preston Moore, Provincial Treasurer, and find, that he Credits the Province on Account of the new Excise,

By Cash received at sundry Times from Joseph Stretch, Collector for Philadelphia County,	£ 1,912 4 10
Ditto of Charles Humphreys, Collector for Chester,	575 5 9
Ditto of James Webb, Collector for Lancaster,	330 0 0

Ditto of Joseph Hampton, Collector for Bucks,

250 0 0

Ditto of John Hughes, Collector for Berks,

Ditto of John Jones, Collector for Northampton,

155 10 0

Ditto of Thomas Minshall, Collector for York,

81 12 0

Ditto of William Brown, Collector for Cumberland,

130 0 0

£ 3,434 12 7

That he Charges the Province with Bills of Credit burnt by the Committee, ..

£ 3,271 1 7

To his Commissions, at Five per Cent, ..

163 11 0

£ 3,434 12 7

THAT he Credits the Province, on Account of the old Excise,

By Balance in his Hands at last settlement,

£ 276 7 10

By Cash of Joseph Fox, on Account of Province Island,

99 8 0

£ 375 15 10

That he Charges the Province with Cash paid John Gordon, per Order, in Consideration of his Mathematical Book presented to the House,

£ 10 0 0

To Commissions, at Five per Cent.

0 10 0

Balance, to be carried to next Account,

365 5 10

£ 375 15 10

THAT he Credits the Province, on Account of the Twelvepenny Tax,

By Cash received of John Blackburn, Treasurer for York County, in Balance of said Tax,

£ 43 0 10

That he Charges the Province,

To Cash paid Trustees, as by Charles Norris's Receipts,

42 18 10

To his Commissions, at Five Shillings per Cent.

0 2 0

£ 43 0 10

[Cumberland County hath not yet raised any Twelvepenny Tax.]

THAT he Credits the Province, on Account of the second Eighteenpenny Tax,

By Cash received on Jonas Seely, Treasurer, for Balance of Berks County,

£ 29 1 10

Continued to next page.

By Cash received of Thomas Janney, late Treasurer, for Balance of Bucks County,	1 19 10	£	31 1 8
That he Charges the Province, To Cash paid the Trustees, as per Charles Norris's Receipts,	£ 30 19 8		
To his Commissions on two-thirds, at Five Shillings per Cent.	0 2 0	£	31 1 8
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THAT he Credits the Province on Account of the third Eighteenpenny Tax,			
By Cash received of Philip Syng, Treasurer for Philadelphia County, the Balance,	£ 2,430 13 0		
Ditto of Thomas Janney, Treasurer for Bucks, Ditto,	34 4 9		
Ditto of Robert Miller, Treasurer for Cumberland,	248 17 10		
Ditto of Jonas Seely, Treasurer for Berks, Balance,	755 8 4		
Ditto of John Blackburn, Treasurer for York, Ditto,	140 0 2	£	3,609 4 1
That he Charges the Province with Cash paid Charles Norris, as per Receipts,	£ 3,597 4 1		
To his Commissions on two Thirds, at Five Shillings per Cent.	£ 6 0 0		
To Ditto on one Third, at Ten Shillings per Cent. ..	6 0 0		
	12 0 0	£	3,609 4 1
<hr/>			
THAT he Credits the Province, on Account of the fourth Eighteenpenny Tax,			
By Cash of Philip Syng, Treasurer for Philadelphia County,	£10,554 13 1		
Ditto of Robert Miller and Son, Treasurer for Chester,	3,831 0 0		
Ditto of Bernard Hubley, Treasurer for Lancaster,	3,675 3 10		
Ditto of Adam Joho, Treasurer for Northampton, in full,	912 6 0		
Ditto of Abraham Chapman, Treasurer for Bucks,	2,540 17 9		
Ditto of Jonas Seely, Treasurer for Berks,	72 9 10		
Ditto of John Blackburn, Treasurer for York,	871 6 3		
Ditto of Robert Miller, Treasurer for Cumberland,	800 5 0	£	23,258 1 9
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That he Charges the Province, viz.			
To Cash paid Joseph Galloway as a Provincial Commissioner, for disposing of One Hundred Thousand Pounds granted to the King Anno 1760,	£ 100 0 0		
Paid Lynford Lardner, for Ditto,	100 0 0		
Paid Joseph Fox, for Ditto,	100 0 0		
Paid the Executors of William Masters, for Ditto,	100 0 0		
Paid John Baynton, for Ditto,	100 0 0		
Paid John Hughes, for Ditto,	100 0 0		
Paid Doctor Thomas Cadwallader, for Ditto	100 0 0		
Paid Thomas Leech, repairing Types and Cuts for printing £100,000, 1760, ..	5 0 0		
Paid Hugh Roberts, Treasurer for the Pennsylvania Hospital, by Order of the Signers for signing £100,000, granted Anno 1760,	186 7 6		
Continued to next page.			

Paid the Trustees of the General Loan-Office, per Charles Norris's Receipts,	22,313 12 3	
To his Commissions on two Thirds, at Five Shillings per Cent. ..	£ 36 11 0	
To Ditto on one Third, at Ten Shillings per Cent.	36 11 0	
	<hr/>	73 2 0
		<hr/>
		£23,258 1 9

THAT he Credits the Province on Account of Duties and Tonnage,		
By Cash received of Doctor Richard Pearne, in 48 Payments, as per Receipts,	£13,828 10 10	
By Ditto of the Doctor's Son, Richard Pearne,	102 9 10	
By Ditto of the Administrator, Enoch Story,	1,224 18 2	
	<hr/>	£15,155 18 10

That he Charges the Province, viz
1758.

<i>May</i>		
20. To Cash paid Ship Commissioners, as per Daniel Rundle's Receipt, ..	£ 85 8 0	
23. Paid Ditto, per Ditto,	115 0 0	
<i>Sept.</i>		
23. Paid Captain James Child,	101 12 6	
	<hr/>	
1758.		
<i>Sept.</i>		
26. Paid Edward Crofton,	60 0 0	
<i>Oct.</i>		
23. Paid Ditto,	200 0 0	
<i>Dec.</i>		
8. Paid Ditto,	33 10 9½	
15. Paid Peter Chevalier,	2,700 12 3	
21. Paid Captain James Child,	194 13 0	
29. Paid Captain John Sibbald,	157 10 0	

1759

<i>March</i>		
17. Paid Edward Crofton,	620 0 0	
22. Paid Ditto,	381 0 9	
<i>June</i>		
6. Paid Daniel Rundle,	600 0 0	
18. Paid Michael Hulings,	89 4 10	
26. Paid Daniel Rundle,	374 0 0	
Paid Bernard Lawerswyler,	46 5 2	
28. Paid Nathan Bewley,	52 2 5	
<i>July</i>		
3. Paid Thomas Yorke,	112 4 11	
5. Paid Thomas Read,	92 13 0	
12. Paid Captain James Child,	100 0 0	
19. Paid William McCrea,	25 17 1	
20. Paid Edward Barrett,	91 17 6	
<i>Oct.</i>		
10. Paid Edward Crofton,	49 0 0	
<i>Nov.</i>		
1. Paid Joshua Howell,	55 10 0	
13. Paid Hugh Donaldson,	32 8 5	
<i>Dec.</i>		
10. Paid Gilbert Mariner,	44 13 6	
17. Paid Daniel Rundle,	2,194 14 9	
1760.		
<i>March</i>		
7. Paid Belitze Renaudet,	256 5 0	
Continued to next page.		

May

16. Paid William Seeles,	108 0 0
31. Paid Michael Hulings,	92 15 6

June

7. Paid Captain Thomas Leech,	69 15 5
13. Paid Daniel Rundle,	1,050 0 0
14. Paid John David Sickle,	28 15 0

July

1. Paid Charles West,	59 7 6
3. Paid Samuel Bonnell,	45 5 3
11. Paid Wharton and Story,	48 15 0
30. Paid William Shute,	26 13 10

August

1. Paid Henry Harrison,	38 10 0
14. Paid Ephraim Smith,	48 1 2
19. Paid Luke Scanlan,	48 16 7

Sept.

2. Paid Messieurs Scott and Mc-Michael,	45 10 0
3. Paid Messieurs Jones and Gilbert,	46 10 0
5. Paid Abraham Mason,	106 8 6
17. Paid Belitze Renaudet,	30 0 0

Oct.

23. Paid William Harvey, per Order, dated August 17, 1760,	46 17 0
Paid Ditto, per Order, dated September 26, 1760,	18 15 0

Nov.

13. Paid Daniel Rundle,	2,000 0 0
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Dec.

11. Paid Ditto	400 0 0
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April

15. Paid Charles Harrison,	447 8 0
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May

8. Paid Samuel Neave,	150 0 0
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July

6. Paid Reese Meredith,	219 2 0
9. Paid John Nelson,	550 0 0
20. Paid George Sheed,	131 0 2
31. Paid Deborah Franklin,	55 16 2

August

15. Paid William Pyewell,	202 13 4
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£14,980 19 3½

To his Commissions, at Ten Shillings per Cent.	74 18 1½
Balance Due to the Province	100 1 5

£15,155 18 10

THAT we have examined the Accounts of Joseph Stretch, Collector for the County of Philadelphia, and find,

That he Credits the Province by Balance of Account, as settled with the Committee last Year,

By Amount of Excise from July, 1760 to July, 1761,

By sundry Retailers, at Three Pounds per Annum,

By one Molety of Seizures,

£ 472 9 1

1,822 17 4

248 10 0

4 16 3

£ 2,548 12 8

That he Charges the Province to Cash paid the Treasurer, as per Receipts, ..

To his Commissions, at Five per Cent.

Balance due to the Province,

£ 1,912 4 10

95 12 3

540 15 7

£ 2,548 12 8

THAT we have examined the Accounts
of Charles Humphreys, Collector for
the County of Chester, and find,
That he Credits the Province by Balance
of Account settled last Year,
By Amount of Excise, from July 1760
to July 1761,

£	58	18	2	
	670	7	2	
£	729	5	4	

That he Charges the Province to Cash
paid the Provincial Treasurer, as per
Receipts,
To Allowance for Insolvent Debtors, ..
To his Commissions, at Ten per Cent.
Balance due to the Province

£	575	5	9	
	5	5	6	
	57	10	7	
	91	3	6	
£	729	5	4	

THAT we have examined the Accounts
of James Webb, Collector for the
County of Lancaster, and find,
That he Credits the Province by Balance
due at last Settlement,
By Amount of Excise from July 1760 to
July 1761,

£	299	16	6	
	481	11	8	
£	781	8	2	

That he charges the Province to Cash
paid the Treasurer, as per Receipts,
To his Commissions, at Ten per Cent.
Balance due to the Province,

£	330	0	0	
	33	0	0	
	418	8	2	
£	781	8	2	

THAT we have examined the Accounts
of John Jones, Collector for the County
of Northampton, and find,
That he Credits the Province by Amount
of Excise,
By sundry Retailers, per Annum,
By Outstanding last Year,

£	142	5	4	
	31	10	0	
	48	17	8	
£	217	13	0	

That he Charges the Province to Cash
paid the Treasurer,
To his Commissions,
Balance due to the Province,

£	155	10	0	
	15	11	0	
	46	12	0	
£	217	13	0	

THAT we have examined the Accounts
of Joseph Hampton, Collector for the
County of Bucks, and find,
That he Credits the Province by Balance
due at last Settlement,
By Amount of Excise from July 1760
to July 1761,
By sundry Retailers, at Three Pounds
per Annum,

£	16	0	1	
	243	15	0	
	42	0	0	
£	301	15	1	

That he Charges the Province to Cash
paid the Treasurer,
To his Commissions,
Balance due to the Province,

£	250	0	0	
	25	0	0	
	26	15	1	
£	301	15	1	

THAT Thomas Minshall, Collector for the County of
York, hath not exhibited any Account, but we find he
has paid the Provincial Treasurer

£	81	12	0
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THAT John Hughes, Collector for the County of Berks,
hath not exhibited any Account, nor has he paid any
Money.

N. B. Since the Settlement of the Treasurer's Account,
we find he has paid the Treasurer

£	250	10	0
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THAT William Brown, Collector for Cumberland, hath not exhibited any Account, but we find he has paid the Provincial Treasurer	£ 130 0 0
THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the Money lent Colonel John Hunter, the Sum of Which Sum still remains to be burnt.	£12,952 15 8
THAT it appears by the Report of the Committee last Year, that there remained in the Hands of the Trustees, in Exchange Money, the Sum of Which Sum still remains in their Hands unexchanged.	£ 4,655 4 9
AND lastly, we Report, That we have burnt, in Bills of Credit, the Sum of Part of the Quota Money received in the Loan-Office, and Likewise,	£ 2,719 5 8 2,831 10 6 12,952 15 8
Eighteen Thousand Five Hundred and Three Pounds Eleven Shillings and Ten-pence.	£18,503 11 10

WE submit these Accounts, with the others, to the Observation and Correction of the House.

Philadelphia, September 17, 1761.

JOSEPH FOX,
JOHN HUGHES,
JOHN MORTON,
JOHN POTTS,
JOHN BAYNTON."

INCIDENTAL CHARGES

To the Honourable JAMES HAMILTON, Esq;

Governor,	£ 1,000 0 0
To Isaac Norris, Esq; for extraordinary Services,	30 0 0
To Joseph Galloway, Esq; for Ditto,	25 0 0
To the Members of Assembly, for their Attendance, as per List,	769 6 6
To William Allen, Esq; Chief Judge,	200 0 0
To Lawrence Growdon, Esq; second Ditto,	100 0 0
To William Coleman, Esq; third Ditto,	100 0 0
To Joseph Fox, Esq; for his Attendance on the Committee of Accounts,	12 0 0
To John Hughes, Esq; for Ditto,	12 0 0
To John Baynton, Esq; for Ditto,	12 0 0
To Daniel Roberdeau, Esq; for Ditto,	12 0 0
To John Morton, Esq; for Ditto,	12 0 0
To John Potts, Esq; for Ditto,	12 0 0
To Robert Charles, Esq; as Agent, £100 Sterling, or	170 0 0

To Mr. <i>Charles Moore</i> , for his Attendance as Clerk of Assembly, and for transcribing and engrossing Bills, &c. &c.	195	8	6
To Messieurs <i>Franklin</i> and <i>Hall</i> , for their Account of printing Laws, Votes, &c.	76	17	8
To <i>Richard Peters</i> , Esq; his Salary as Clerk of the Council, and for his Account of Warrants, Certificates, &c.	65	7	6
To <i>Richard Hockley</i> , Esq; for affixing the Great Seal to Laws, &c.	17	8	0
To <i>Charles Brockden</i> , Esq; for his Account of Services,	20	11	10
To <i>Joseph Fox</i> , Esq; his Salary as Barrack-Master,	50	0	0
To Mr. <i>Dunlap</i> , for his Account of Postage of public Letters to the late Governor <i>Denny</i> , .	22	12	6
To Ditto, for Ditto to Governor <i>Hamilton</i> ,	19	3	8
To Ditto, for Ditto, to <i>Richard Peters</i> , Esq; Secretary,	13	0	0
To <i>Samuel Kirke</i> , his Salary as Serjeant at Arms, and for other Services,	23	6	0
To <i>Andrew M'Nair</i> , his Attendance as Door-keeper, and for other Services,	23	13	5
To <i>John Hughes</i> , Esq; for transcribing Books, Papers and Records, from the Secretary's and Surveyor General's Offices,	1,354	2	0
	<hr/>		
	£4,347 17 7		

WE, the Committee for Incidental Expences, have examined the Accounts herein referred to and find them charged as usual.

JOSEPH FOX,
GEORGE ELY,
GEORGE ASHBRIDGE,
EMANUEL CARPENTER,
JOHN BLACKBURN."

. At an ASSEMBLY held in Philadelphia, the Fourteenth Day of October, Anno Domini 1761, P. M.

October 14, 1761.

By the Returns of the Sheriffs of the several Counties, it appears that the following Gentlemen were duly elected to

serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the ensuing Year, viz.

For Philadelphia County.	For Bucks County.	For Lancaster County.
<i>Isaac Norris,</i>	<i>Giles Knight,</i>	<i>Emanuel Carpenter,</i>
<i>Thomas Leech,</i>	<i>James Melvin,</i>	<i>James Wright,</i>
<i>John Hughes,</i>	<i>Henry Wynkoop,</i>	<i>James Webb,</i>
<i>Joseph Galloway,</i>	<i>Abraham Chapman,</i>	<i>John Douglass.</i>
<i>John Baynton,</i>	<i>William Smith,</i>	For York County.
<i>Joseph Fox,</i>	<i>John Wilkinson,</i>	<i>John Blackburn,</i>
<i>Edward Penington,</i>	<i>Samuel Foulke,</i>	<i>David M^cConnaughy.</i>
<i>Rowland Evans.</i>	<i>Samuel Browne.</i>	
For Philadelphia City.	For Chester County.	For Cumberland County.
<i>Benjamin Franklin,</i>	<i>Joseph Gibbons,</i>	<i>William Allen,</i>
<i>Samuel Rhoads.</i>	<i>George Ashbridge,</i>	<i>John Byers.</i>
	<i>Nathaniel Pennock,</i>	
	<i>Joshua Ash,</i>	For Berks County.
	<i>John Morton,</i>	<i>John Potts.</i>
	<i>Isaac Wayne,</i>	
	<i>Isaac Pearson,</i>	For Northampton County.
	<i>Roger Hunt.</i>	<i>John Moor.</i>

A Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker, when ISAAC NORRIS, Esq; was unanimously chosen Speaker of this House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That Mr. *Leech*, Mr. *Rhoads*, Mr. *Knight*, Mr. *Gibbons*, Mr. *Carpenter*, Mr. *Allen*, Mr. *Potts* and Mr. *Moor* do wait on the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives being met, have proceeded to chuse a Speaker for the ensuing Year, and desire to know when his Honour will be pleased to receive the House, that they may present their Speaker for his Approbation.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

October 15, 1761.

The Committee appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be in the Council Chamber at Twelve o'Clock, to receive the House with their Speaker.

A Message by the Secretary :

SIR,

"The Governor attends, in the Council Chamber, to receive the House, in order to present their Speaker."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker, of whom his Honour had been pleased to approve; and that the Speaker had then, in the Name and Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may, at all seasonable Times, have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into Resolves, nor give the least Credit to such Report.

Fourthly, That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province; and that the Governor was pleased to say, "They were essential to a Representative Body, and it should be his Care to preserve them inviolably to the House, and protect them in the same."

A Copy of the Qualification appointed by Law to be taken by Members of Assembly, and the Test of Abjuration, being prepared, were then taken and subscribed, first by Mr. Speaker in the Chair, and afterwards at the Table by the rest of the Members present, in their Order.

Resolved, That *Charles Moore* be Clerk of this House for the ensuing Year. And he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirke* be Sergeant at Arms to this House for the ensuing Year.

Resolved, That *Andrew M'Nair* be Door-keeper to this House for the ensuing Year.

Then the House adjourned to Three o'Clock, *P. M.*

Mr. Galloway and *Mr. Blackburn* appearing in the House this Afternoon, for the first time since their Election, were qualified as usual, and took their Seats accordingly.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer to this Province for the ensuing Year.

Resolved, That *Benjamin Franklin*, Esq; be, and he is hereby appointed and continued Agent for this Province, to solicit and transact the Affairs thereof in *Great-Britain*, for the ensuing Year, or such Part thereof as he shall continue there.

Ordered, That *Mr. Leech*, *Mr. Galloway*, *Mr. Fox*, *Mr. Hughes*, *Mr. Rhoads*, *Mr. Morton* and *Mr. Potts* be a Committee of Correspondence for the ensuing Year.

Ordered, That *Mr. Galloway*, *Mr. Fox*, *Mr. Smith*, *Mr. Gibbons*, *Mr. Douglass*, *Mr. Potts* and *Mr. Moor* be a Committee of Aggrievances for the ensuing Year; and that they have full Power and Authority to send for Persons, Papers and Records.

Ordered, That *Mr. Fox*, *Mr. Hughes*, *Mr. Baynton*, *Mr. Penington*, *Mr. Rhoads*, *Mr. Wynkoop*, *Mr. Morton* and *Mr. Potts* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts, and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have full Power and Authority to send for Persons, Papers and Records.

Ordered, That *Mr. Galloway* and *Mr. Fox*, with the Speaker, be a Committee to revise and correct the Minutes of this House, in Order to their Publication.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 16, 1761.

The House taking into Consideration the Address of Messieurs *Weiss* and *Miller*, of the Eleventh of *September* last, to the late Assembly, concerning a new Edition of the Laws of this Province, after some Debate thereon,

Ordered, That *Mr. Leech*, *Mr. Fox* and *Mr. Rhoads*, with the Speaker, be a Committee to examine and compare the said Edition of Laws with the Originals, and report their Opinion at the next Meeting of this House.

The Rules of the House being then read, as customary, were agreed to, with the following additional Resolve, for regulating the Attendance of the Members, *viz.*

Resolved, That every Member, who shall be absent from the House longer than Half an Hour after the Bell ceases to ring in the Morning and Afternoon, shall be subject to a Fine

of *One Shilling* for every such Delinquency, to be collected and applied to the Use of the *Pennsylvania* Hospital.

Then the House adjourned to Three o'Clock, *P. M.*

The House taking into Consideration the Bill for regulating the Supreme Court, prepared by the last Assembly, and recommended to this House, after some Time spent therein,

Ordered, That Mr. *Rhoads*, Mr. *Leech*, Mr. *Allen* and Mr. *Potts* be a Committee to draw and bring in a new Bill for that Purpose against the next Sitting of this House.

Ordered, That Mr. *Leech*, Mr. *Chapman*, Mr. *Pearson*, Mr. *Douglass*, Mr. *Blackburn*, Mr. *Allen*, Mr. *Potts* and Mr. *Moor* be a Committee to prepare and bring in a Bill for more effectually repairing and amending the Highways of this Province.

Ordered, That Mr. *Melvin* and Mr. *Allen* wait on the Governor, and acquaint him, that the House incline to adjourn to the first *Monday* in *January* next, if his Honour hath no Objection thereto.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 17, 1761.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had no Objection to the Time of Adjournment proposed by the House.

The Committee appointed by the last Assembly to audit and settle the Accounts of the General Loan-Office, made their Report as usual in Writing, which being read and agreed to by the House, was ordered to be printed at the End of the last Year's Minutes.

The House then resuming the Consideration of the Order of the last Assembly, for depositing in some safe Place, all the Books, Papers and Records, transcribed from their Originals, in the Secretary's and Surveyor General's Offices, by *John Hughes*, Esq; for the Use of the Public;

Ordered, That all the said Records, Books and Papers so transcribed, be delivered into the Hands of *Isaac Norris*, Esq; (the present Speaker of Assembly) Mr. *Leech*, Mr. *Galloway*, Mr. *Fox*, Mr. *Baynton*, Mr. *Penington*, Mr. *Evans* and Mr. *Rhoads*, or any five of them, who are hereby directed to deposit the same in the Committee Room, at the East End of the State-House, there to be kept uninspected by any Person whatsoever, without an Order of the House for that Purpose, signed by the Speaker; and that the said *John Hughes*, upon

Delivery as aforesaid of all such Books, Papers and Records, be allowed and paid the Sum of *Thirteen Hundred and Fifty-four Pounds Two Shillings*, which the Committee of Assembly, appointed to estimate the Amount of the said Transcripts, have reported to be due to the said *John Hughes* for that Service.

Ordered, That Mr. *Galloway*, Mr. *Rhoads*, Mr. *Knight*, Mr. *Gibbons*, Mr. *Morton*, Mr. *Webb*, Mr. *Blackburn*, Mr. *Allen*, Mr. *Potts* and Mr. *Moor* be a Committee to prepare and bring in a Bill, at the next Meeting of the House, for authenticating the said Papers, and transcribing the Remainder of the Originals thereof from the respective Offices.

Then the House adjourned to *Monday*, the Fourth of *January* next, at Four o'Clock in the Afternoon.

January 4, 1762.

Mr. Speaker, with Twenty-two of the Members, met pursuant to Adjournment; and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

January 5, 1762.

A Quorum met pursuant to Adjournment, and Mr. *Ashbridge* and Mr. *Wright*, this Day appearing in the House for the first time since their Election, were qualified as usual, and took their Seats accordingly.

Ordered, That Mr. *Wright* and Mr. *Allen* wait on the Governor, and acquaint him, that a Quorum being met, pursuant to Adjournment, they are ready to proceed on any Business his Honour may be pleased to lay before them.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had no Business at present to lay before the House, but in Case any should occur during their Sitting, he would acquaint them with it by Message.

The Committee appointed to prepare and bring in a Bill for regulating the Supreme Court, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 6, 1762.

The Committee appointed to receive from *John Hughes*, Esq;

the Books, Papers and Records, by him transcribed from the Secretary's and Surveyor General's Offices for the Use of the Public, reported, the said Transcripts had been delivered accordingly in two large Trunks, bound with strong Tape, and sealed, and that they had deposited the same in the Committee Room, agreeable to the late Order of Assembly.

The Committee appointed to prepare and bring in a Bill for authenticating the said Transcripts from the Secretary's and Surveyor General's Offices, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

A Petition from *Benjamin Davis*, of the City of *Philadelphia*, was presented to the House and read, praying to be appointed the Officer for executing the Law now under Consideration of the House, for recording Warrants and Surveys, &c.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 7, 1762.

Mr. Pennock this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

The Committee appointed to prepare and bring in a Bill for the more effectual repairing Highways, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Bill for regulating the Supreme Court, &c. which being in Part read the second time, and debated by Paragraphs, they adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill for regulating the Supreme Court, &c. and, after further Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

January 8, 1762.

The House proceeded in the Consideration of the Bill for regulating the Supreme Court, &c. which being further read, and debated by Paragraphs, they adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for regulating the Supreme Court, &c. and, after some further Time spent in the

Consideration thereof, adjourned to Ten o'Clock To-morrow Morning.

January 9, 1762.

The House resuming the Consideration of the Bill for regulating the Supreme Court, &c. after some Debate thereon, adjourned to *Monday* next, at Four o'Clock in the Afternoon.

January 11, 1762.

The House met pursuant to Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

January 12, 1762.

The House being informed that for several Nights past sundry Women passing the Streets of this City, on their lawful Occasions, have been violently assaulted, and some of them secretly and dangerously wounded, by some evil minded Person or Persons, provided with Knives or Razors for that Purpose;

Ordered, That Mr. *Hughes* and Mr. *Rhoads* do make Enquiry into the Truth of the above Information, and report thereon to the House in the Afternoon.

The House proceeded to the Consideration of the Bill for regulating the Supreme Court, and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The Members appointed to make Enquiry into the Outrages lately committed on several Women in the Streets of this City, reported, they had collected the best Intelligence they could, and find that some Women have been assaulted in the Streets, and wounded, as represented to the House in the Forenoon, and that a Person is now committed to Goal, on Suspicion of being one of the Offenders; also, that certain other Women, since his Commitment, have been treated with the same unprecedented Cruelty.

Upon Consideration of the foregoing Report,

Ordered, That Mr. *Rhoads*, and Mr. *Allen* do wait on the Governor, and request he will cause diligent Enquiry to be made after the said Offenders; and also inform his Honour, that the House, with his Concurrence, will give a Reward of *Fifty Pounds* for the Discovery of every such Offender, of which the Governor is desired to make Proclamation, if he shall judge it necessary.

The House then took up the Bill for regulating the Supreme Court, and some Clauses thereof being again read, and debated, they adjourned to Ten o'Clock To-morrow Morning.

January 13, 1762.

The Members appointed to wait on the Governor with the

Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would cause strict Enquiry to be made into the late Violences committed in the Streets, and, in Case he should find it necessary, would issue a Proclamation, offering the Reward proposed by the House, for discovering and apprehending the Offenders.

The House being acquainted that the State-House Clock is found to be much out of Repair and the Public likely to be deprived of the Use thereof,

Ordered, That the Superintendents of the State-House do agree with Mr. *Duffield*, to repair the said Clock, and take Care of the same for the future.

The House proceeded in the Consideration of the Bill for regulating the Supreme Court, and after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill for regulating the Supreme Court, &c. and after further Debate, sundry Objections arising thereon, the said Bill was re-committed for Alteration and Amendment to the Committee that brought it in.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 14, 1762.

The House resumed the Consideration of the Bill for repairing Highways, which being in Part read the second time, they adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Consideration of the Bill for repairing Highways, and after further Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

January 15, 1762.

A Petition from *Richard Tea*, of the City of *Philadelphia*, Surveyor, was presented to the House and read, praying to be appointed the Officer for executing the Law now under Consideration of the House, for recording Warrants and Surveys.

Ordered to lie on the Table.

Pursuant to the Recommendation of last Assembly, the House then took into Consideration the Bills for Relief of insolvent Debtors, and for vesting the State-House, with other public Buildings, in Trustees, for the Use of the Province; and after some Time spent therein,

Ordered, That Mr. *Baynton*, Mr. *Rhoads*, Mr. *Melvin*, Mr. *Morton*, Mr. *Wright*, Mr. *Blackburn*, Mr. *Allen* and Mr. *Potts*

be a Committee to prepare and bring in a Bill for Relief of insolvent Debtors within this Province, and that Mr. *Galloway*, Mr. *Rhoads*, Mr. *Knight*, Mr. *Morton*, Mr. *Wright*, Mr. *Blackburn*, Mr. *Potts* and Mr. *Moor* be a Committee to bring in a Bill for vesting the State-House, and other public Buildings, with the Lots whereon the same are erected, in Trustees, for the Use of the Public.

The House resumed the Consideration of the Bill for repairing Highways, &c. and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for repairing Highways, &c. and after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

The House met, and, after further Debate on the Bill for repairing Highways, &c. adjourned to *Monday* next, at Three o'Clock in the Afternoon.

January 18, 1762.

Mr. Speaker, with Two and Twenty Members, met pursuant to Adjournment; and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

January 19, 1762.

Mr. Speaker, with the Members present last Night, met again; and a Quorum being still wanting, they adjourned to Ten o'Clock To-morrow Morning.

January 20, 1762.

A Quorum met pursuant to Adjournment.

The Committee to whom the Bill for regulating the Supreme Court was re-committed for Amendment, reported the same, with some Alterations and Additions, agreeable to Instructions from the House, which being read, was ordered to lie on the Table for further Consideration.

An Address from the Monthly Meeting of the People called *Quakers*, held at *Philadelphia*, the Sixteenth Instant, was presented to the House and read, setting forth, that Drunkenness, Gaming, Profanation of the Sabbath, Lotteries and Stage-Plays are become general Practices in this Province, and praying that more effectual Measures may be taken for discouraging and suppressing the same.—*Ordered to lie on the Table.*

A Remonstrance from *Enoch Story*, Collector of Tonnage, &c. was presented to the House and read, setting forth, that the several Sums of Money already received and paid into the Treasury by himself, and his Predecessor in the said Office, by Virtue of the several Acts of Assembly for grant-

ing to his Majesty a Duty of Tonnage, &c. are more than sufficient to defray all the Purposes and Uses intended and specified in and by the said Acts; and that a considerable Balance will remain in the Hands of the Treasurer, besides the above-mentioned Sums, as soon as the Monies received by *Richard Pearne*, deceased, and not accounted for, shall be paid into the Treasury, which will be done as soon as conveniently may be, by the Remonstrant and his Colleague *Joseph Stretch*, Administrators to the Estate of the said *Richard Pearne*, deceased: That there remains several Sums of Money charged in the Books of the said *Richard Pearne* as due to the Public, for Duties of Tonnage and strong Liquors, from several Gentlemen and Merchants of this City, over and above what is already paid into the Treasury as aforesaid, and remain due to the Public from the state of the said *Richard Pearne*; which Sums of Money last mentioned, the Remonstrant hath used his Endeavours to collect and receive; but inasmuch as the said *Richard Pearne* did neglect to take Bonds and Security for the Payment of the said Duties, and permit the Importers of the Liquors, for which the same became due, to land and dispose of them, all such his Endeavours have proved ineffectual, as he had no Bonds to sue on, nor could seize the Effects as forfeited, as they are not now to be found; these being, he apprehends, the only Remedies pointed out by the Law for Recovery of the Duties aforesaid: That the Remonstrant hath often demanded the said Sums of Money from the several Merchants to whom charged as aforesaid, and that those Gentlemen, being well informed that all the Purposes of the Tonnage Acts are fully complied with, and the Expences thereof defrayed, have generally given the Remonstrant for Answer, that they think a further Collection both unnecessary and unreasonable, and therefore decline the Payment of the Duties aforesaid.

These Things, with the several Vouchers and Accounts thereto relating, the Remonstrant conceives it his Duty to lay before the House, submitting the same, with much Respect, to their Consideration.— *Ordered to lie on the Table.*

The House resumed the Consideration of the Bill for repairing Highways, and after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Consideration of the Bill for repairing Highways, which being further read, and several Objections arising thereto, the same was re-committed for Amendment to the Committee that brought it in, with the Addition of Mr. *Rhoads* and Mr. *Wright*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 21, 1762.

The House resumed the Consideration of the Bill for regulating the Courts of Justice within this Province, which being in Part read the second time, and debated, they adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Consideration of the Bill for regulating the Courts of Justice within this Province, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 22, 1762.

The House resuming the Consideration of the Remonstrance of *Enoch Story*, Collector of Tonnage, &c. after some Time spent therein,

Ordered, That Mr. *Leech*, Mr. *Baynton*, Mr. *Rhoads* and Mr. *Ashbridge* be a Committee to prepare and bring in a Bill to enable the said Collector to demand and receive the Outstandings of Tonnage and Imposts due to the Public by Virtue of the late Acts of Assembly.

The Committee to whom the Bill for repairing Highways was recommitted for Amendment, reported some Alterations thereon, which being read, was ordered to lie on the Table for a second Reading, and the House adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill for recording Warrants and Surveys, &c. which being in Part read the second time, and debated, they adjourned to Ten o'Clock To-morrow Morning.

January 23, 1762.

The Bill for regulating the Courts of Justice within this Province, being transcribed, according to Order, was brought in, read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wright* and Mr. *Allen* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

January 25, 1762.

The House met, pursuant to their Adjournment.

The Committee appointed to wait on the Governor with the Bill for regulating the Courts of Justice within this Province,

&c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Mr. Byers, this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 26, 1762.

A Petition from sundry Owners and Occupiers of certain Tracts of Pieces of Meadow and Marsh, situated in the Township of *Moyamensing*, in the County of *Philadelphia*, was presented to the House and read, praying Leave to bring in a Bill for the better Improvement of the said Marsh and Meadow Grounds.

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose expressed in their Petition.

The House resumed the Consideration of the Bill for recording Warrants and Surveys, &c. which being in Part read the second time, and debated, they adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Consideration of the Bill for recording Warrants and Surveys, &c. and, after some Debate thereon, being of Opinion, that the better to authenticate the several Books of Records transcribed by Virtue of a late Act of Assembly from the Secretary's and Surveyor General's Offices, and now in Possession of this House, the same ought to be respectively numbered and certified under the Hand of the Officer appointed in the said Act, as true Copies from their Originals in the Offices aforesaid, a Certificate was drawn at the Table for that Purpose, agreed to by the House, and is as follows, *viz.*

THESE are to certify, that the foregoing Sheets contained in this Book, No. — in the Whole amounting to — Pages, are true Copies of the Originals, found in the Office of ——— and that the same was carefully compared with the said Originals, by me during my Appointment as Recorder of Warrants and Surveys, under the Act of Assembly passed in the Thirty-third Year of his late Majesty's Reign, entitled, *An Act for recording Warrants and Surveys, and for rendering the real Estates and Properties within this Province more secure.*"

Ordered, That Mr. Leech, Mr. Rhoads, Mr. Wynkoop, Mr. Morton and Mr. Wright be a Committee to see the foregoing

Certificate inserted and signed by the Officer aforesaid at the End of each of the Books of Records transcribed as above-mentioned, and that this Committee, or any three of them, do subscribe their Names as Witnesses to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 27, 1762.

The House took up the Bill for recording Warrants and Surveys, &c. which being further read, and debated by Paragraphs, they adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Bill for recording Warrants and Surveys, &c. and after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

January 28, 1762.

The Governor, by Mr. Secretary, sent down the Bill for regulating the Courts of Justice within this Province, &c. with a Paper of Amendments thereon, which being read, were ordered to lie on the Table for further Consideration.

The Committee appointed at a former Sitting of Assembly, to examine Messieurs *Weiss* and *Miller's* Edition of the Laws of this Province, presented their Report thereon in Writing, which was read by Order, and follows in these Words, *viz.*

THE Committee appointed to examine the Collection of the Laws of this Province of *Pennsylvania*, printed by *Lewis Weiss* and *Peter Miller*, beg Leave to report to the House, that it appears to your Committee, from the Affidavit of the said *Lewis Weiss*, that the said Collection of Laws was carefully printed from a Copy taken from, carefully compared with, and corrected by, the original Rolls and Records of the Laws now remaining in the Rolls Office, by him the said *Lewis* and *Charles Brockden*, Esq; Master of the Rolls; and that the several Charters printed with the said Collection, were taken from, and compared with, the Records thereof in the said Office, save the Charter of the Borough of *Lancaster*, which was carefully printed from a certified Copy, under the Seal of the said Borough, as by the Affidavit herewith shewn to the House more particularly will appear.

JOSEPH GALLOWAY,
JOSEPH FOX,
THOMAS LEECH,"

Then the House adjourned to Three o'Clock, *P. M.*

THE House resumed the Consideration of the Bill for recording Warrants and Surveys, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The Committee appointed to prepare and bring in a Bill for vesting the State-House, &c. in Trustees, for the Use of the Public, reported they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 29, 1762.

The House resumed the Consideration of the Bill for repairing Highways, &c. which being further read by Paragraphs, and debated, they adjourned to Three o'Clock in the Afternoon.

A Petition from sundry Inhabitants, Owners of the Lands and Tenements in the Southern Suburbs of the City of *Philadelphia*, was presented to the House and read, praying Leave to bring in a Bill for the better Regulation and Security of the said Suburbs.

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose expressed in their Petition.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 30, 1762.

The Bill for recording Warrants and Surveys, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass

Ordered, That Mr. *Galloway* and Mr. *Baynton* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 1, 1762.

The House met pursuant to their Adjournment, and adjourned to Ten o'Clock To-morrow Morning.

February 2, 1762.

The House resumed the Consideration of the Bill for repairing Highways, &c. which being in Part read the second time, and debated by Paragraphs, they adjourned to Three o'Clock in the Afternoon.

The House proceeded in the Consideration of the Bill for repairing Highways, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 3, 1762.

The Committee appointed to prepare and bring in a Bill for recovering and collecting certain Duties of Tonnage and Imposts remaining due to the Public, by Virtue of a late Law of this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Bill for vesting the State-House, &c. in Trustees, for the Use of the Province, and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House again took up the Bill for vesting the State-House in Trustees, for the Use of the Province, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Mr. Speaker having this Day brought in and delivered to the House the several Deeds and other Papers lodged in his Hands, relating to the State-house and Lots whereon the same is erected,

Ordered, That Mr. *Penington*, Mr. *Rhoads*, Mr. *Morton* and Mr. *Pearson* do examine the said Deeds and other Papers, and make out a List thereof, to be kept with them in the Chest in the Committee Room.

Ordered, That Mr. *Leech*, Mr. *Fox*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Baynton*, Mr. *Penington*, Mr. *Rhoads* and Mr. *Allen* be a Committee to prepare and bring in a Bill for regulating and paving the Streets of *Philadelphia*.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 4, 1762.

The Bill for repairing Highways, &c. being transcribed according to Order, was read the third time, and compared at the Table; and a Rider to the said Bill being then presented by a Member to the Chair, the same was twice read, agreed to by the House, and ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, P. M.

The Rider to the Bill, entituled, "*An Act for repairing Highways*," &c. being transcribed according to Order, was read the third time, and ordered to be annexed to the Bill.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wright* and Mr. *Allen* wait on the Governor therewith, for his Assent to the same.

A Petition from sundry Owners of Marsh and Meadow Lands, Parts of *Tinicum*, *Boon's Island* and *Carcus Hook*,

situate in the Counties of *Philadelphia* and *Chester*, was presented to the House and read, praying Leave to bring in a Bill for the further Improvement and Security of the said Meadows.

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose aforesaid.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 5, 1762.

The Members appointed to wait on the Governor with the Bill for repairing Highways, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Pursuant to Leave for that Purpose, a Bill to enable the Owners of Marsh and Meadow Lands in the Counties of *Philadelphia* and *Chester*, was presented, by a Member, to the Chair, and the same being read the first time, was ordered a second Reading.

The House resumed the Consideration of the Bill for recovering and collecting the Duties of Tonnage upon Vessels, and certain other Duties upon Wine, Rum, Brandy, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Four o'Clock, *P. M.*

The House resumed the Consideration of the Address from the Monthly Meeting of the People called *Quakers*, and, after some Time spent therein,

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Leech* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill for supressing of Lotteries, and another for discouraging and preventing Stage Plays within this Province.

Ordered, That the Clerk apply to the Treasurer for a List of the licenced Public Houses, which the Law directs the Secretary to return to him, and if such a List should not be returned, to direct the Treasurer to call upon the Secretary for the same, and to lay it forthwith before this House.

Ordered, That Mr. *Galloway*, Mr. *Hughes*, Mr. *Evans*, Mr. *Rhoads* for the County and City of *Philadelphia*;—Mr. *Ashbridge*, Mr. *Pearson*, Mr. *Hunt* for the County of *Chester*;—Mr. *Smith*, Mr. *Foulke*, Mr. *Brown* for the County of *Bucks*;—Mr. *Carpenter*, Mr. *Wright* for the County of *Lancaster*;—Mr. *Byers* for the County of *Cumberland*;—Mr. *Potts* for the County of *Berks*;—and Mr. *Moor* for the County of *Northampton* be several Committees to examine and enquire into the

Number of licenced Public Houses in their respective Counties, with the State and Circumstances of the Keepers thereof, and at what Distances they reside from each other, together with any other Particulars that may be necessary, to lay before the Assembly a full State of the said Houses, and to report their Proceedings herein at the next Meeting of this House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 6, 1762.

The Committee appointed to prepare and bring in a Bill for suppressing Lotteries within this Province, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered a second Reading.

The Bills for vesting the State-house in Trustees, &c. and for Recovery of the Duties of Tonnage, &c. being transcribed according to Order, the same were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. Fox and Mr. Allen wait on the Governor therewith, for his Assent to the same.

The Committee appointed to see the Books and Papers transcribed from the Secretary's and Surveyor General's Offices, certified by the Officer appointed for that Purpose, made their Report in Writing, which was read by Order, and is as follows, *viz.*

WE, the Committee appointed to see the Books and Papers that were transcribed from the Secretary's and Surveyor General's Offices, certified under the Hand of the Officer appointed by a late Law of this Province, entituled, "*An Act for recording Warrants and Surveys*," &c. do report, That we have carefully attended that Service, and subscribed our Names as Witnesses to the Certificates directed by the House to be entered in the said Books, and signed by the said Officer, *viz.* to Certificates in Twenty-five several Books, transcribed from the Secretary's Office, and Forty-one Books from the Surveyor General's Office, and one Paper Book unbound, containing the Warrants granted, and Returns made, during the Continuance of the said Act; and also to Certificates in one Alphabet Book, or List of the Papers and Books transcribed from the Surveyor General's Office; all which said Books are regularly numbered.

THOMAS LEECH,
SAMUEL RHODES,
HENRY WYNKOOP,
JOHN MORTON,
JAMES WRIGHT."

Upon Motion by Mr. *Allen* for Leave to bring in a Bill for purchasing Lots, and erecting a Court-house, in the Town of *Carlisle*, for the County of *Cumberland*,

Ordered, That the Member have Leave to prepare and bring in a Bill for the Purpose aforesaid.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 8, 1762.

The House met pursuant to their Adjournment.

The Members appointed on *Saturday* last to wait on the Governor, with the two Bills for vesting the State-house, &c. in Trustees, and for recovering the Duties of Tonnage, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

The Governor, by Mr. Secretary, returned the Bill for repairing Highways, &c. and acquainted the House, that he should be ready to pass the same, whenever they might present the same for that Purpose.

The Secretary also brought down and delivered the Bills for Recovery of certain Duties of Tonnage, &c.—for vesting the State-house in Trustees, &c.—and for recording Warrants and Surveys, &c. with Amendments on the two first, and a written Message relating to the last, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I HAVE carefully considered the Bill sent up for my Concurrence, entituled, "*An Act for recording Warrants and Surveys*" &c. and heartily wish the Provisions contained in it had been such that I could freely have given my Assent to it; but instead thereof, I am sorry to find that the present Bill is formed on the same Plan, and liable to the most material Part of the same Objections for which your late Law, respecting these Offices, was, after a full Hearing, repealed by his late Majesty in Council.

'I have endeavoured, as much as in me lay, to amend it, so as to make it conformable to what I conceive just and reasonable upon this Subject; but have found, upon Trial, that the necessary Alterations and Amendments would be so numerous and perplexing, that a new Bill, I hope, agreeable to both our Sentiments, might, with less Difficulty, be framed, to answer all the good Purposes intended by the Law now before me.

'I am commanded, Gentlemen, by the Proprietaries, to declare, that it is their Desire to render the People as secure in

their landed Properties as possible, without injuring their ancient Officers, or giving up their Right of appointing new Ones; and I can, for myself, with great Truth, assure you, that I sincerely entertain the same Sentiments; as an Earnest whereof, I will not scruple to acknowledge, that the several Offices, where the only Evidences of the original Rights of the Freeholders in this Province have heretofore been deposited and kept, have long appeared to me to stand in Need of some Regulations.

'I have ever been of Opinion, that a Law for erecting the Offices of Proprietary Secretary and Surveyor General into public Offices, and requiring the Persons appointed from Time to Time to fill them, to give sufficient Security to the King, or to the Proprietaries, as should be thought most expedient, in Trust nevertheless for the People, and moreover to oblige them to take an Oath or Affirmation, for the faithful and impartial Discharge of their Duty, would be extremely proper, and of great public Utility.

'It seems also an Object no less worthy the Attention of the Legislature, that proper Precautions should be taken, to guard against the Mischiefs and Confusions that would necessarily ensue to the People, in case the Records and Papers lodged in these Offices should be destroyed by Fire, or any other Accident.

'I cannot therefore but highly approve of the Proposal of taking Duplicates and fair Copies of such Records and Papers, and confirming such as have heretofore been taken, after they have been carefully compared and examined, to be preserved in some Place of Safety, to be made Use of as Evidence on the Loss of the Originals, or any of them, but not otherwise; reserving the Appointment of the Officer, who may have the Custody of them, under the like Oath and Security as above-mentioned, to the Governor; which is a Branch of the Royal Prerogative that I ought not, and therefore cannot, give up.

'A Bill formed on these general Principles, I would at any Time chearfully give my Assent to; after which I may be bold to say, that the landed Estates of the People of this Province would be as substantially, and effectually secured, as they are in any Part of the King's Dominions, or as in Reason and Justice could be desired.

'But as to the Bill now before me, I cannot assent to it as it stands, and therefore return it to the House,

February 8, 1762.

JAMES HAMILTON."

Upon Consideration of the Governor's Amendments to the

Bill for Recovery of certain Duties of Tonnage, the House agreed to admit the same; and having ordered that the said Bill, with the Bill for repairing Highways, &c. be immediately engrossed, they adjourned to Ten o'Clock To-morrow Morning.

February 9, 1762.

Pursuant to Leave for that Purpose, Mr. *Allen* presented to the Chair a Bill for purchasing a Lot, and erecting a Court-house thereon, for the County of *Cumberland*, which being read the first time, was ordered to lie on the Table.

The House then resumed the Consideration of the Governor's Amendments to the Bill for vesting the State-house, &c. in Trustees, and, after some Time spent therein,

Ordered, That Mr. *Fox* and Mr. *Allen* be a Committee to confer with the Governor on the said Amendments, and to lay before him an additional Clause proposed by the House to the said Bill, which they conceive may better answer the Purpose of his Honour's Amendments.

The House then took up the Bill for suppressing Lotteries within this Province, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

Pursuant to Leave for that Purpose, a Bill for regulating *Wicacoa* Meadows was presented to the House by a Member, and being read the first time, was ordered to lie on the Table for a second Reading.

The House resumed the Consideration of the Governor's Amendments to the Bill for regulating the Courts of Justice within this Province, and, after some Time spent therein, the Question being put, Whether the House will adhere to the Bill? The same was resolved in the Affirmative by a great Majority.

Ordered, That Mr. *Fox* and Mr. *Allen* wait on the Governor with the said Bill, and return it for his further Consideration.

February 10, 1762.

Then the House adjourned to Ten o'Clock To-morrow Morning.

The Members appointed to wait on the Governor with the Bill for vesting the State-house, &c. in Trustees, and to lay before him the Clause proposed by the House to the said Bill, in Place of his Honour's Amendments, reported, they had conferred with him thereon, and that he had been pleased to agree to the said Clause, and withdraw his Amendments.

Ordered, That the Bill be engrossed accordingly.

The said Members also reported, that they had, pursuant to

the Order of the House, returned to his Honour the Bill for regulating the Courts of Justice, &c. for his further Consideration; and that he was pleased to say, he would reconsider the same, and send it again to the House with his Result thereon.

The Bill for suppressing Lotteries within this Province being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Rhoads* and Mr. *Ashbridge* wait on the Governor therewith, for his Assent to the same.

The House resumed the Consideration of the Bill for regulating *Wicacoa* Meadows, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for suppressing Lotteries within this Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

A Petition from divers Owners of Marsh Land, situate at *Calcoon Hook*, in the Township of *Darby*, and County of *Chester*, was presented to the House and read, praying Leave to bring in a Bill for embanking, draining and improving the said Marsh.

Ordered, That the Petitioners have Leave to bring in a Bill for the said Purpose.

The House resumed the Consideration of the *Tinicum* and *Kingsessing* Meadow Bill, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 11, 1762.

The Governor, by Mr. Secretary, returned the Bill for regulating the Courts of Justice within this Province, and acquainted the House, that he had reconsidered the same, and adhered to his Amendments thereon.

The Secretary also brought down the Bill for suppressing Lotteries, &c. with an Amendment to the same, which being read, was agreed to by the House, and the said Bill ordered to be engrossed accordingly.

Pursuant to Leave for that Purpose, a Bill for draining

and improving the Marsh at *Calcoon Hook*, in the Township of *Darby*, was presented, by a Member, to the Chair, and ordered to lie on the Table for a first Reading in the Afternoon.

Then the House adjourned to Four o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a written Message to the House, also a Message to him from King *Beaver* and *Shingas*, acquainting his Honour with their Resolution of coming down to a Treaty with this Province in a short Time, pursuant to the Invitation sent them for that Purpose.—The Governor's Message being read, follows in these Words, *viz.*

GENTLEMEN,

'I THINK it necessary to acquaint you, that I have lately received from the *Delaware* Chiefs, *Beaver* and *Shingas*, the Message herewith laid before you, from which it appears that they are very well disposed to cultivate the Friendship of their Brethren the *English*.

'And as since the ceasing of Hostilities betwixt his Majesty's Subjects and them, several Invitations have been given them, on the Part of this Province, for a personal Interview, in order to strengthen and brighten the Chain of Friendship, which, for a long Time, did so happily subsist between us, I cannot but think it highly expedient to give them a Meeting at such Time and Place as they shall appoint for that Purpose.

'But as this cannot be done without a considerable Charge to the Province, I am to request, if you approve of the Measure, that you will make Provision as well for the Expence attending the Treaty, as for the Present to be made them, which, upon this Occasion, and after so long an Intermission, will, undoubtedly, be expected to be a liberal one.

'If it be found necessary that the proposed Treaty shall be held at any other Place than the City of *Philadelphia*, it would be very agreeable to me that some of the Members of your House should accompany me thither.

February 11, 1762,

JAMES HAMILTON."

The House took up the Bill, presented in the Forenoon, for draining and improving the Marsh and Meadow Lands at *Calcoon Hook*, in the Township of *Darby*, &c. which being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 12, 1762.

The Bill to enable the Owners of a certain Tract of Marsh and Meadow Lands, situate in the Counties of *Philadelphia*

and *Chester*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. being transcribed according to Order, was in Part read the third time, and the Parties concerned therein praying Leave to withdraw the said Bill, and bring in a new one, more suitable to the Circumstances of the Company, Leave was accordingly granted them for that Purpose.

Pursuant to Leave for that Purpose, a Bill was presented to the Chair for erecting the Southern Suburbs of the City of *Philadelphia* into the District of *Southwark*, &c. which being read the first time, was ordered to lie on the Table for a second Reading.

The House resumed the Consideration of the Bill to enable the Owners and Possessors of the Southern District of *Darby* Meadows to embank and drain the same, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill to enable the Owners and Occupiers of the *Wicacoa* Meadows, in the County of *Philadelphia*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Rhoads* wait on the Governor therewith, for his Assent to the same.

Pursuant to Leave of the House, the Persons interested in the *Tinicum* and *Kingsessing* Meadows presented a new Bill to the Chair, for the better Regulation and Improvement of the said Meadows, which being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 13, 1762.

The Committee appointed to examine the several Deeds, and other Papers relating to the Lots whereon the State-house is erected, and to make out a List of the same, to be laid before the House, reported a List thereof accordingly, and acquainted the House, that they find several of the said Deeds have not been regularly proved and recorded; whereupon it was

Ordered, That Mr. *Rhoads* and Mr. *Penington* do get all such of the said Deeds duly proved and recorded; and that Mr. *Fox* and Mr. *Rhoads* do make Enquiry whether the other Lots in the same Square are to be sold, and at what Price, and make Report thereof at the next Meeting of this House.

A Member for the County of *Cumberland* having laid before

the House a fair Transcript of the Assessment of said County for the last Year, signed by the Commissioners thereof, the same was ordered to be deposited with other Papers of like Kind in the House.

The Members appointed to wait on the Governor with the Bill to enable the Owners and Occupiers of the *Wicacoa Meadows* to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill under immediate Consideration, and give it all the Dispatch in his Power.

Upon Motion by Mr. *Rhoads*, informing the House that there is a convenient Road laid out from a public Road to the River *Schuylkill*, opposite to the *Province Island*, which will be of Use to the said Island, as it affords a much more convenient and much shorter Way to the said Island than that heretofore used, and praying that the House would contribute some Part of the Money to open and make the said Road; after some Debate,

Ordered, That Mr. *Fox*, Mr. *Rhoads* and Mr. *Penington* do view the said Road, and estimate the Expence that will necessarily accrue in clearing and making the same fit for Carriages, and that as soon as the Contributions expected from Persons interested in the said Road, together with the Sum hereby ordered to be drawn for, shall be sufficient to open and finish the same, that then they, the said Mr. *Fox*, Mr. *Rhoads* and Mr. *Penington*, or a Majority of them, shall make Report thereof to the Speaker, who shall thereupon draw an Order on the Treasurer for the Sum of *Seventy-five Pounds*, to be paid out of the Monies arising by Virtue of the Act, entituled, "*An Act for vesting the Province Island in Trustees*," to the Supervisors of the Highways of the Township of *Passyunk*, to be laid out by them for the said Purpose, and no other Purpose whatsoever.

The House resumed the Consideration of the Bill to enable the Owners and Possessors of the southern District of *Darby Marsh* or Meadow Ground, to embank and drain the same, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

February 15, 1762.

The House met, pursuant to their Adjournment.

The Bill to enable the Owners and Possessors of a certain Tract of Marsh and Meadow Land, in the Counties of *Phila-*

delphia and *Chester*, to keep the Banks, Dams, Sluices and Floodgates in Repair, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Morton* and Mr. *Pearson* do wait on the Governor therewith, for his Assent to the same.

Mr. *Leech* and Mr. *Baynton* acquainting the House, that the Trustees for building *St. Paul's Church*, in this City, having so far finished the same as to render it capable of accommodating the Congregation, had desired them, in Behalf of the Congregation, to return suitable Acknowledgments to Mr. Speaker and the Assembly, for the Use they have been allowed to make of the State-house during the Building of the said Church; and inasmuch as they have not yet procured a Bell for the same, to request the further Favour of the House to grant them the Use of the State-house Bell for the present;—which being granted accordingly,

The House adjourned to Ten o'Clock To-morrow Morning.

February 16, 1762.

The Members appointed to wait on the Governor with the Bill for embanking and draining the *Tinicum* and *Kingsessing Meadows*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Bill to enable the Owners and Occupiers of the Southern District of *Darby Marsh* to embank and drain the same, &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearson* and Mr. *Ash* wait on the Governor therewith, for his Assent to the same.

The Governor, by Mr. Secretary, sent down a written Message to the House, with a Letter from the Earl of *Egremont*, one of his Majesty's principal Secretaries of State, dated at *Whitehall*, December 12, 1761; also a Letter from his Excellency General *Amherst*, at *New-York*, bearing Date the Ninth Instant; which were severally read, and are as they respectively follow, *viz.*

GENTLEMEN,

'BY the Packet just arrived, I had the Honour to receive a Letter from the Right Honourable the Earl of *Egremont*, one of his Majesty's principal Secretaries of State, setting forth, *That the King having nothing so much at Heart as to secure and improve the great Advantages gained since the Commence-*

ment of this War in North-America, and having seen his good Dispositions to restore the public Tranquillity entirely frustrated by the Insincerity and Chicane of the Court of Versailles in the late Negotiation; and as nothing can so effectually contribute to the great and essential Object of reducing the Enemy to the Necessity of accepting a Peace on Terms of Glory and Advantage to his Majesty's 'Crown, and beneficial in particular to his Subjects in America, as the King's being enabled to employ, as immediately as may be, such Part of the regular Forces in North-America as may be adequate to some great and important Enterprise against the Enemy; he is therefore commanded to signify to me the King's Pleasure, that in order the better to provide for the full and entire Security of his Majesty's Dominions in North-America, and particularly of the Possession of his Majesty's Conquests there during the Absence of such Part of the regular Forces, I should forthwith use my utmost Endeavours and Influence with the Council and Assembly of this Province to raise, with all possible Dispatch, within my Government, at least the same Number of Men as was required from this Province by Mr. Pitt's Letter of the Seventeenth of December, 1760, viz. Two Thirds of what they raised the preceding Campaign; and that forming the same into Regiments as far as shall be found convenient, I should direct them to hold themselves in readiness, and particularly as much earlier than former Years as may be, to march to such Place or Places in North-America as his Majesty's Commander in Chief there, or the Officer, who shall be appointed to command the King's Forces in those Parts, shall appoint, in order to be employed there under the supreme Commands of his Majesty's said Commander in Chief, or of the Officer to be appointed as above, in such Manner, as from the 'Circumstances and Situation of the Enemy's Posts, and the State and Disposition of the Indian Nations on that Side, he may judge most conducive to the King's Service.

'And, the better to facilitate this important Service, the King is pleased to leave it to me to issue Commissions to such Gentlemen in this Province as I shall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men; and further, to allow all Officers of the Provincial Forces, as high as Colonels inclusive, to have Rank according to their several respective Commissions, agreeable to the Regulations contained in his late Majesty's Warrant of the Thirtieth of December, 1757, which has been renewed by his present Majesty.

'The King is likewise further pleased to furnish all the Men so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces.

'The Whole therefore that the King expects and requires from the several Provinces, is the Levying, Cloathing and Pay of the Men;—and on these Heads also, that no Encouragement may be wanting to this great and salutary Service, his Majesty is further most graciously pleased to permit me to be acquainted, that strong Recommendations will be made to Parliament at their Sessions next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit.

'In Consequence of the above Requisition, and of his Majesty's further Intentions signified to him by the Secretary of State, I have also received a Letter from his Excellency Sir Jeffery Amherst, Commander in Chief of the Forces in North-America, which, as the Matters therein contained will probably soon come under your Consideration, I have judged proper to communicate to you.

'As by the Letters above-mentioned, which I have ordered to be laid before you, you will be fully possessed of what the King expects and requires of you on this important Occasion, it would be needless for me to attempt enlarging thereon, since the Reasons and interesting Motives therein set forth to induce a speedy and effectual Compliance with his Majesty's Demand, are so striking and self-evident, that they must necessarily lose of their Force when handled by any inferior Authority: Nevertheless, as in Obedience to the King's Command, it is my Duty forthwith to use my best Endeavours and Influence to induce you to raise, with all possible Dispatch, at least the same Number of Men, as was required from this Province by Mr. Pitt's Letter of the Seventeenth of December, 1760, viz. Two Thirds of what you raised the preceding Campaign; I do accordingly, in the strongest and most earnest Manner, recommend this Measure to be pursued by you, as being what, in my Opinion, the present Situation of these Colonies loudly calls for, and by your speedy and effectual Compliance with which you cannot fail to entitle yourselves to the continued Favour and Protection of the best of Kings.

February 16, 1762.

JAMES HAMILTON."

THE RIGHT HONOURABLE the EARL of EGREMONT's Letter.

SIR,

Whitehall, December 12, 1761.

AS the King has nothing so much at Heart as to secure and

improve the great and important Advantages gained since the Commencement of this War in *North-America*, and having seen his good Dispositions to restore the public Tranquillity entirely frustrated by the Insincerity and Chicane of the Court of *Versailles*, in the late Negotiation; and as nothing can so effectually contribute to the great and essential Object of reducing the Enemy to the Necessity of accepting a Peace on Terms of Glory and Advantage to his Majesty's Crown, and beneficial in particular to his Subjects in *America*, as the King's being enabled to employ, as immediately as may be, such Part of the regular Forces in *North-America* as may be adequate to some great and important Enterprise against the Enemy, I am commanded to signify to you the King's Pleasure, that in order the better to provide for the full and entire Security of his Majesty's Dominions in *North-America*, and particularly of the Possession of his Majesty's Conquests there during the Absence of such Part of the regular Forces, you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province to induce them to raise, with all possible Dispatch, within your Government, at least the same Number of Men as was required from your Province by Mr. Pitt's Letter of *December 17, 1760, viz.* Two Thirds of what they raised the preceding Campaign; and forming the same into Regiments as far as shall be found convenient, that you do direct them to hold themselves in Readiness, and particularly as much earlier than former Years as may be, to march to such Place or Places in *North-America* as his Majesty's Commander in Chief there, or the Officer who shall be appointed to command the King's Forces in those Parts, shall appoint, in order to be employed there under the supreme Command of his Majesty's said Commander in Chief, or of the Officer to be appointed as above, in such Manner as from the Circumstances and Situation of the Enemy's Posts, and the State and Disposition of the *Indian* Nations on that Side, he may judge most conducive to the King's Service; and, the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen in your Province as you shall judge, from their Weight and Credit with the People, and their Zeal for the public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men: In the Disposition of which Commissions, I am persuaded you will have nothing in View but the Good of the King's Service, and a due Subordination of the Whole to his Majesty's Commander; and all Officers of the Provincial Forces, as high as Colonels inclusive, are to have Rank according to their several respective Com-

missions, agreeable to the Regulations contained in his late Majesty's Warrant of the Thirtieth of *December*, 1757, which has been renewed by his present Majesty.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunition and Tents, as well as to order Provisions to be issued to the same by his Majesty's Commissaries, in the same Proportion and Manner as is done to the rest of the King's Forces. The Whole, therefore, that the King expects and requires from the several Provinces, is the Levying, Cloathing and Pay of the Men; and, on these Heads also, that no Encouragement may be wanting to this great and salutary Service, his Majesty is further most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour and strenuous Efforts of the Respective Provinces shall justly appear to merit.

It is also his Majesty's Pleasure, that you do, with particular Diligence, immediately collect and put into the best Condition, all the Arms issued last Campaign which can be any Ways rendered serviceable, or that can be found within your Government, in order that the same may be again employed for his Majesty's Service.

I am further to inform you, that similar Orders are sent by this Conveyance to *Maryland*, *Virginia*, *North-Carolina* and *South-Carolina*—The Northern Governments are also directed to raise Men in the same Manner, to be employed as his Majesty's Commander in Chief shall judge most conducive to the King's Service in *North-America*.

It is unnecessary to add any Thing to animate your Zeal in the Execution of his Majesty's Orders in this important Con-juncture, which is finally to fix the future Safety and Welfare of *America*, and of your own Province in particular; and the King doubts not, from your known Fidelity and Attachment, that you will employ yourself, with the utmost Application and Dispatch, in this promising and decisive Crisis. I am with great Truth and Regard,

SIR, Your most obedient humble Servant,
EGREMONT."

His EXCELLENCY SIR JEFFERY AMHERST's Letter.

SIR, *New-York, February 9, 1762.*

BY the *General Wall Packet*, which arrived here this Morning, I am honoured with a Letter from the Earl of *Egremont*, one of his Majesty's Principal Secretaries of State, bearing Date the Twelfth of *December* last, wherein his Lordship is

pleased to acquaint me, that as the King has *nothing so much at Heart, as to secure and improve the great and important Advantages gained since the Commencement of this War in North-America; and having seen his good Dispositions to restore the public Tranquillity frustrated, by the Insincerity and Chicane of the Court of Versailles, in the late Negotiation;* his Majesty is again obliged to take into his Royal Consideration what ulterior Operations can be entered upon, by such Part of the Troops under my Command as can be spared for other Service, without the least Diminution of the full and entire Security as well of his Majesty's former Dominions, as of those acquired by Conquest in *North-America*. In order that every Thing may be in Readiness for an early Campaign, and to be able to employ an adequate Number of the regular Forces in whatever Attack may be resolved upon, his Majesty has thought it necessary to lose no Time in dispatching his Orders to the several Governors in *North-America*, for levying, with the utmost Expedition, the Quotas required of the respective Provinces.

His Majesty's Directions on this Subject to the several Governors, are so fully specified in the circular Letter wrote by the Earl of *Egremont*, of which his Lordship has sent me a Copy, that it only remains with me most earnestly to entreat you to lose no Time in convening your Assembly, and laying before them the aforesaid Letter of the Secretary of State; and that you will forthwith use your utmost Endeavours and Influence with the Council and Assembly, to induce them to raise, with all possible Dispatch, within your Government, at least the same Number of Men as was required from your Province by Mr. *Pitt's* Letter of *December* the Seventeenth, 1760, *viz.* Two Thirds of what they raised the preceding Campaign.

I cannot think, Sir, that I need urge any Arguments to convince you of the Necessity of an early Compliance with his Majesty's Commands, as it is more than probable that this Campaign, if opened in Time, and carried on with Vigour, must be that which will at last compel our Enemy to treat in Earnest on such Terms as will be equally glorious and advantageous for his Majesty's Crown, and permanently beneficial to his *American* Subjects: And I therefore trust the Assembly will enable you to put those Commands into immediate Execution, since they terminate in a Point wherein they are so nearly concerned, and that the King's principal Object has been for their present Security, as well as their future Welfare and Prosperity.

You will observe, by the Earl of *Egremont's* Letter, that as a further Encouragement to a proper Exertion on the Part of the Provinces, his Majesty has ordered, as heretofore, that the Provincial Forces should be victualled in the same Manner, and in the same Proportions as the Regulars; and that they should be supplied with Arms and Tents at the Expence of the Crown; moreover, that strong Recommendations will be made to Parliament, in their Session next Year, to grant a Compensation to the Provinces, as their respective Vigour and strenuous Efforts shall justly appear to merit.

I have also in Command from his Majesty, to enjoin you to collect, and cause to be put into proper Condition, all the serviceable Arms that can be found within your Province, for every one of which that shall be brought to the Field, and shall not return, by Reason of being spoiled in actual Service, I shall pay the usual Allowance of *Twenty-five Shillings per Firelock*.

As it is very essential to the Services I may have in Command from the King that I should be, as early as possible, informed of the Resolves of your Assembly on this Head, and of the Time the Troops will be ready, I beg that as soon as you are acquainted therewith, you will signify the same to me by Express, that I may regulate myself accordingly.

I have likewise received a Letter from the Earl of *Egremont*, of the same Date with the former, signifying his Majesty's Intentions of completing the Regular Regiments serving in *North-America*, by Recruits to be raised by the several Provinces (over and above the Quotas demanded in the other Letter) on such Terms and Conditions as I shall propose: I shall, in Obedience thereto, as soon as I have fixed on the Numbers necessary to be furnished by the respective Provinces, communicate to you the Encouragements which his Majesty is graciously pleased to empower me to give for effecting this most essential Service; and in the mean Time I think it my Duty to acquaint you of this intended Measure, that you may be prepared for exerting your utmost Influence with your Assembly to grant the Number of Men that I shall be obliged to require of your Province, that his Majesty's Commands may be duly obeyed. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST."

The Secretary also brought down with the foregoing Papers the Bill for regulating the *Wicacoa Meadows*, and acquainted the House, that his Honour was ready to pass the same whenever presented to him for that Purpose.

The Gentlemen appointed to wait on the Governor with the Bill to enable the Owners and Possessors of the Southern District of *Darby* Meadows to embank and drain the same, &c. reported, they had delivered the said Bill according to Order; and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message of this Morning, and, after some Time spent therein,

Ordered, That Mr. *Rhoads* and Mr. *Evans* do wait on his Honour, and acquaint him, that most of the distant Members having had Leave from the House to be absent during the remaining Part of this Sitting, upon an Apprehension that the Business thereof was nearly concluded, the House incline to make a short Adjournment, in order to recall and collect their whole Number, the better to consider and determine upon the important Matters laid before them by the Governor in his Message of this Morning, and desire to know when it may be convenient to his Honour to acquaint the House with his Result upon the Bills yet before him, and to pass the others to which he has been pleased to give his Assent during the present Sitting of Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 17, 1762.

The Members appointed to wait on the Governor with the Message of last Night, reported, that they had delivered the same according to Order; and that his Honour was pleased to say, he would be at the Council Chamber at Four o'Clock this Afternoon, in order to enact into Laws the several Bills already agreed on, and the House might expect his Result on the Bill still before him with all convenient Dispatch; also that he should appoint some Members of Council to compare the engrossed Bills with their Originals at Twelve o'Clock To-day.

The Governor, by Mr. Secretary, returned the Bill to enable the Owners and Possessors of the Southern District of *Darby* Marsh to embank and drain the same, and acquainted the House, he should be ready to pass the said Bill when presented to him for that Purpose.—The Secretary also brought down the Bill for regulating and improving the *Tinicum* and *Kingsessing* Meadows, with an Amendment thereon, and informed the House, that his Honour consents to pass the same, in Case they admit the said Amendment, which being read,

and considered, was agreed to by the House, and inserted in the Bill accordingly.

Ordered, That Mr. *Rhoads* and Mr. *Morton* join with the Members of Council in comparing the engrossed Bills with their Originals.

Ordered, That Mr. *Melvin* and Mr. *Knight* wait on the Governor, and acquaint him, that the House purpose to adjourn to the Fifteenth Day of *March* next, if his Honour hath no Objection thereto.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to join with the Gentlemen of the Council in comparing the several engrossed Bills with their Originals, reported, they had done the same according to Order, and found them to agree.

The Members appointed to wait on the Governor, and acquaint him with the intended Adjournment of the House to the Fifteenth of next Month, reported, they had delivered their Message according to Order; and that his Honour was pleased to say, he could not agree to so long an Adjournment.

Ordered, That Mr. *Rhoads* and Mr. *Morton* do see the Great Seal affixed to the several Bills agreed on, and the same deposited in the Rolls Office, after they shall be passed into Laws.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House in the Council Chamber, to enact the several Bills, to which he hath given his Assent, into Laws."

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented several Bills respectively entituled as follow, *viz.* "*An Act for vesting the State-House, and other public Buildings, with the Lots of Ground whereon the same are erected, together with two other Lots, situate in the City of Philadelphia, in Trustees for the Uses therein particularly mentioned.*"—"An Act for opening and better amending and keeping in Repair the public Roads and Highways within this Province."—"An Act for the Recovery of the Duties of Tonnage upon Ships and Vessels, and certain Duties upon Wine, Rum, Brandy, and other Spirits, and upon Sugar, which became due by Virtue of a Law of this Province, lately expired, and which were not received during the Continuance thereof, and for appropriating the Surplus of the said Duties."—"An Act for the more effectual suppressing and pre-

venting of Lotteries.”—“An Act to enable the Owners and Occupiers of the Wicacoa Meadows, in the County of Philadelphia, to keep the Banks, Dams, Sluices and Floodgates in Repair, and to raise a Fund to defray the Expence thereof.”—“An Act to enable the Owners and Possessors of a certain Tract of Marsh and Meadow Land therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Dams, Sluices and Floodgates in Repair, and to raise a Fund to defray the Expence thereof.”—“An Act to enable the Owners and Possessors of the Southern District of Darby Marsh or keep the Outside Banks and Dams in good Repair, and to raise a Fund to defray the yearly Expences accruing thereon.”—To which said several Bills his Honour had been pleased to give his Assent, by enacting the same into Laws.

The House then taking into Consideration the Governor's Objection to the Length of their proposed Amendment, after some Time spent therein, resolved upon the Question, that this House will now adjourn to *Monday* the Eighth of *March* next, in order to collect their absent Members, who cannot sooner attend the Service of the Public.

Ordered, That Mr. *Morton* and Mr. *Douglass* wait on the Governor, and acquaint him with the foregoing Resolution of the House.

The Members return and report, they had delivered their Message according to Order; and that his Honour was pleased to say, he could by no Means consent to the said Adjournment, as it would shew too little Regard to the Orders of the Crown; but the House might do as they thought proper.

Resolved, That the House do adhere to their said last Adjournment, in order to give Notice to, and require the Attendance of all their Members; and are of Opinion, that such Adjournment can occasion no Delay prejudicial to the Demands of the Crown lately laid before them by the Governor.

Ordered, That the Laws this Day passed, for repairing Highways, and suppressing of Lotteries, be forthwith published in the News Papers.

The House then taking into Consideration, that Messieurs *Weiss* and *Miller*, Printers in this City, have lately completed and published an Edition of the Laws of the Province of *Pennsylvania*, and been at considerable Pains and Expence to render the same more correct and useful than any former Collection thereof;

Resolved, That this House will take Two Hundred Copies of the said Edition of Laws, to be distributed and disposed of in such Manner as they shall hereafter direct.

Ordered, That the Clerk do forthwith issue Notices in Writing to all the absent Members of Assembly, requiring their punctual Attendance on the Service of the Public the Eighth Day of next Month, unless prevented by Sickness.

The House then adjourned accordingly to *Monday*, the Eighth of *March* next, at Four o'Clock in the Afternoon.

March 8, 1762.

MR. Speaker, with One and Twenty other Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Eleven o'Clock To-morrow Morning.

March 9, 1762.

A quorum met, Pursuant to Adjournment.

Mr. *M'Conaughy*, this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

Ordered, That Mr. *Rhoads* and Mr. *Morton* do wait on the Governor, and acquaint him, that a Quorum of the Representatives being met, pursuant to Adjournment, they are ready to proceed on the Business laid before them at their last Meeting, and desire to know if his Honour hath any Thing further to communicate relating thereto.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported they had delivered the same according to Order; and that his Honour was pleased to say, he had lately received further Letters concerning the Business laid before the House at their last Meeting, which he would send down to them, with a Message, this Afternoon.

The Governor, by Mr. Secretary, sent down a written Message to the House, with several Letters therein referred to, and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

'SINCE your Adjournment, I have been honoured with a second Letter from the Right Honourable the Earl of *Egremont*, one of his Majesty's Principal Secretaries of State, bearing Date the Twelfth of *December* last, acquainting me, that *the King* having taken into his most serious Consideration, how highly essential it is to the Interests and Security of his Subjects in North-America, that the regular Regiments serving there be recruited with all convenient Expedition, to their full Complement of Effectives; and at the same Time seeing the Impracticability of completing them from Great-Britain, considering how that Country is drained, by the great Number of Men furnished for the various Services in

all Parts of the World; he is therefore commanded to signify to me the King's Pleasure, that immediately after the Receipt of the said Letter, I should exert my utmost Influence, to induce this Province to carry into the most speedy and effectual Execution this very important Object, by an immediate Compliance with any Requisition Sir Jeffery Amherst shall, in Consequence of his Majesty's Orders, make, for furnishing, on certain Conditions, which he will explain to me, such a Number of Recruits from this Province as he shall demand, as their Quota towards completing the regular Regiments which have been sent to America, for the Defence and Protection of the Possessions of his Majesty's Subjects there. And that the King cannot doubt, but that the Provinces will chearfully and readily comply with this reasonable Demand, so obviously calculated for their Security and Advantage, which his Majesty hath so much at Heart, and with Regard to which, any Failure or Disappointment would be extremely disagreeable.

'His Lordship is also, by his Majesty's Command, further pleased to acquaint me, That though the present Situation of Affairs would have fully justified the having required of the Provinces as large a Number of Men as they ever have raised for any of the former Campaigns, instead of the Quota which was demanded last Year; yet that his Majesty considering the high Importance of the Service, which makes the Subject of his Letters, and being desirous to ease the Burdens of his faithful Subjects, as far as shall be consistent with their own Safety, hath been pleased to require only the same Number of Men as for the last Year, in order thereby to facilitate a Measure so essential as the completing the regular Regiments, by Recruits to be furnished from the Provinces in North-America; and that the King is persuaded that the said Provinces, duly sensible of his Majesty's tender and paternal Care for their Welfare, will in Return readily comply with the Orders now sent.

'At the same Time that Sir Jeffery Amherst transmitted to me the above-mentioned Letter from the Secretary of State, he was likewise pleased to honour me with one from himself, ascertaining, pursuant to the Trust reposed in him by the King, as well the Number of Men required to be furnished by this Province, for completing the regular Corps serving in North-America, as the Method proposed for raising them; by which you will perceive, that the Number expected from us, agreeable to the Proportions from the other Colonies, amounts to Four Hundred and Eighty-two Men, over and above those required by his Letter of the Ninth of the last Month: And

as an Inducement to the Men to enter into the regular Service, he proposes that we should pay to them the same Levy-money as is given to the Provincials, in Addition to which, as a further Encouragement, he will allow the Sum of *Five Pounds, New-York Currency*, to each Man approved of by a regular Officer to be appointed for that Purpose, who shall enlist to serve during the War, or until the Regiments shall return to *Europe*;—that the Men so raised shall be cloathed, and enter into immediate Pay, without any further Expence to the Province than their first Levying, and at the Expiration of their Time, as above-mentioned, shall be sent back to their respective Homes.

‘He is also pleased to signify to me, that, to render this Service effectual, and prevent Desertion, he does expect that the Province will provide for replacing such Men as do desert; which, when known, he is persuaded will prevent any of them from leaving their Corps, since, in that Case, they cannot expect Protection in the Colonies—And lastly, that the Execution of the above Measure must, by no Means, retard or interfere with the Requisition made by his Majesty for the Provincial Service.

‘When you call to Mind, Gentlemen, the present critical State of Affairs both in *Europe* and *America*; the unhappy Prospect of a Continuance of the War with *France*, and the great Reason there is to apprehend that his Majesty may soon be obliged to enter into a new One with another formidable Power, for vindicating the Honour of his Crown, and the commercial Interest of his Subjects, in which the Service of the regular Regiments, when complete, cannot fail to be of the utmost Importance;

‘When you reflect on the seasonable and powerful Protection these Colonies have received from the Mother Country, by Means of these very Regiments, and the utter Impracticability of recruiting and completing them from *Great-Britain*, already drained of Men, by the various and extensive Services in all Parts of the World; and above all, how much his Majesty hath the Execution of this Measure at Heart, and how very disagreeable any Disappointment therein must consequently prove to him;

‘I say, Gentlemen, when you shall have duly weighed and considered these several very important and interesting Circumstances, I flatter myself, and indeed cannot entertain a Doubt, but that you will chearfully and readily comply with his Majesty’s Commands hereby signified to you; and in so doing, approve yourselves faithful and affectionate Subjects

to the best of Sovereigns; to which I most earnestly press and exhort you; and for your more particular Information, I have ordered the several Letters, from which this Message is chiefly an Extract, to be laid before you.

March 8, 1762.

JAMES HAMILTON."

The Papers sent down with, and referred to in the foregoing Message from his Honour, were a second Letter from the Right Honourable the Earl of *Egremont*, bearing Date at *Whitehall*, the Twelfth of *December*, 1761; with two others from his Excellency Sir *Jeffery Amherst*, dated at *New-York*, *February* the Twenty-first and Twenty-second, 1762; which were severally read by Order, and are as they respectively follow, *viz.*

The SECRETARY of STATE's Letter to the GOVERNOR.

SIR,

Whitehall, December 12, 1761.

THE King having taken into his most serious Consideration, how highly essential it is to the Interests and Security of his Subjects in *North-America*, that the regular Regiments serving in that Country be recruited, with all convenient Expedition, to their full Complement of Effectives; and at the same Time seeing the Impracticability of completing them from *Great-Britain*, considering how this Country is drained, by the great Number of Men furnished for the various Services in all Parts of the World; I am therefore to signify to you the King's Pleasure, that you do immediately, on the Receipt of this Letter, exert your utmost Influence, to induce your Province to carry into the most speedy and effectual Execution this very important Object, by immediate Compliance with any Requisition which Sir *Jeffery Amherst* shall, in Consequence of his Majesty's Orders, make for furnishing, on certain Conditions, which he will explain to you, such a Number of Recruits from your Province as he shall demand, as their Quota towards completing the regular Regiments which have been sent to *America*, for the Defence and Protection of the Possessions of his Majesty's Subjects there. And the King cannot doubt, but that the Provinces will cheerfully and readily comply with this reasonable Demand, so obviously calculated for their own Security and Advantage; at the same Time, that your Zeal for his Majesty's Service will naturally excite you to use all your Influence and Power, in bringing effectually to bear a Measure which his Majesty has so much at Heart, and with Regard to which, any Failure or Disappointment would be extremely disagreeable.

I have it also in Command, from the King, to acquaint you, that though the present Situation of Affairs would have fully

justified the having required of the Provinces as large a Number of Men as they ever have raised for any of the former Campaigns, instead of the Quota which was demanded the last Year; yet his Majesty, considering the high Importance of the Service which makes the Subject of this Letter, and being desirous to ease the Burdens of his faithful Subjects, as far as shall be consistent with their own Safety, has been pleased to require only the same Number of Men as for the last Year, in order, thereby, to facilitate a Measure so essential as the completing the regular Regiments by Recruits to be furnished from the Provinces in *North-America*: And the King is persuaded that the said Provinces, duly sensible of his Majesty's tender and paternal Care for their Welfare, will, in Return, readily and chearfully comply with the Orders now sent you. I am, with great Truth and Regard,

SIR, Your most obedient humble Servant,

EGREMONT."

His EXCELLENCY SIR JEFFERY AMHERST's Letter.

SIR,

New-York, February 21, 1762.

AS I acquainted you in my Letter of the Ninth Instant, that I had been honoured with his Majesty's Commands for completing the Regular Corps serving in *North-America*, by Recruits to be raised by the several Provinces, on such Terms and Conditions as I should propose; in Consequence of these Commands, and in Obedience thereto, I have duly considered, not only the Numbers that will be necessary to be furnished by the respective Colonies, but the Encouragement to be given to induce the Men voluntarily to enlist into the Service, which I am persuaded will, if properly backed by the Provinces, have the desired Effect.

The Number of Men expected from your Province for this Service, with the Method proposed for raising them, I shall now lay before you; and the Earl of *Egremont's* Letter, which I herewith inclose to you, will shew you how much the King has this Measure at Heart, and how disagreeable any Failure or Disappointment therein would be to his Majesty.

The Quota to be furnished by your Province, agreeable to the Proportions from the other Colonies, is Four Hundred and Eighty-two Men; I must therefore most earnestly request you will use your utmost Influence with the Assembly to raise that Number over and above those already demanded by my Letter of the Ninth Instant, by paying them the same Levy-money as to the others; and as an Encouragement to induce the Men to enter into the Regular Service, I propose to allow *Five Pound New-York* Currency Bounty-money to each Man

not under Eighteen, nor above Forty Years of Age, who shall enlist to serve during the War, or until the Regiments return to *Europe*; they shall be cloathed, and enter into Pay, without any further Expence to the Province than their first Levying; and at the Expiration of their Time above-mentioned, shall be sent back to their respective Homes: And in order to encourage the Provincial Officers to forward this essential Service, I leave it to you to appoint any Officer or Officers you shall think proper to persuade the Men to enter into the Regular Service on the above Conditions; for every one of which that he shall so enlist, and that is approved of by a regular Officer whom I shall appoint for that Purpose, the said Provincial Officer shall receive a Reward of *Forty Shillings New-York Currency*: It will therefore be necessary that I have the earliest Notice of the Time when you think the Men will be raised, that I may send an Officer to approve of them, receive them, and to pay the Bounty and Reward as already promised.

I have only to add, that to render this Service effectual, and to prevent Desertion, I shall expect the Province will provide for replacing such Men as do desert, which, when known, I am persuaded will prevent any of them from leaving their Corps, since they cannot expect Protection in the Colonies.

You will please to observe that the Execution of this Measure must, by no Means, retard or interfere with the Requisition made by his Majesty for the Provincial Service;—the King, ever mindful of the Ease and Welfare of his faithful Subjects, demands only such Assistance as may be granted without subjecting them to any heavy Burden, and therefore has been pleased to make his Requisitions agreeable thereto; and I trust, from your known Zeal for his Majesty's Honour, and the Good of the Service, you will enforce the Necessity of both Measures, when you meet your Assembly, in such a Manner that, as these Measures are calculated for the Prosecution of a War, in which the immediate Security and future Interests of the Provinces are so essentially concerned, they will chearfully and readily comply with his Majesty's Commands, and thereby approve themselves faithful and obedient Subjects to the best of Kings. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST."

SIR JEFFERY AMHERST's Second Letter.

SIR, New-York, February 22, 1762.

I AM this Moment, favoured with your Letter of the Seven-

teenth Instant, acquainting me with the Reasons for your having adjourned your Assembly for a Fortnight, with which I am well satisfied, as I am in Hopes they will, by that Time, be fully prepared for complying with the King's Commands contained in the Earl of *Egremont's* two Letters, the last of which respecting the filling up of the Regular Corps by Recruits from the several Provinces, you will receive by this Post, together with one from myself on the same Subject. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST."

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 10, 1762.

Pursuant to Order of the House at their last Sitting, the Provincial Treasurer laid before them a List of the Names of all the licenced Public House-keepers in the several Counties of this Province, which was examined, and referred to the Committee appointed on the Fifth of *February* last to enquire into the Number and State of such Houses; to which Committee Mr. *M'Conaughy* is now added for the County of *York*.

Upon Motion,

The House resumed the Consideration of the Governor's Message, of the Eleventh of *February*, sent down with a Message from the *Delaware* Chiefs, *Beaver* and *Shingas*, acquainting his Honour of their Design of coming down in a few Months to a Treaty with this Government, pursuant to the Invitations given them for that Purpose, and, after some Debate thereon,

Resolved, That the House do agree to, and will make Provision for, defraying any reasonable Expence that may arise upon such Treaty with the said *Indians*.

Ordered, That Mr. *Fox*, Mr. *Baynton*, Mr. *Rhoads*, Mr. *Morton*, Mr. *Wright*, Mr. *Allen* and Mr. *Potts* do wait on the Governor, acquaint him with the foregoing Resolve, and confer with his Honour about the most convenient Place on the Frontiers for holding the said Treaty, requesting he will be pleased to take Care, by the Appointment of proper Escorts, to prevent any Mischief being done, or Abuse offered, to the said *Indians*, in coming into, or going out of, the inhabited Parts of the Province.

The House then resumed the Consideration of the Governor's Message of Yesterday, which was again read, and, after some Debate thereon, adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Governor's

Messages of Yesterday and the Sixteenth of *February*, together with the Secretary of State's Letters accompanying the same, which were again read, and, after a considerable Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

March 11, 1762.

The Gentlemen appointed Yesterday Morning to confer with the Governor, respecting the most suitable Place for holding the Treaty shortly expected with the *Delaware* Chiefs, and request that proper Measures might be taken by the Government to protect the said *Indians* from any Injury or Abuse, in passing through the settled Parts of the Province on this Occasion, reported they had done the same according to Order; and that his Honour being of Opinion, with the House, that it would be dangerous and expensive to invite the said *Indians* down to the City of *Philadelphia*, was pleased to acquaint them, he should use his Influence with their Chiefs, to prevent their coming further into the inhabited Parts than *Reading* or *Lancaster*; to either of which Places, as they may choose, he should order proper Convoys for their Protection; and desired the House might appoint a Committee of their Members to attend the said Treaty, with some Person to take Account of and defray the Expence thereof.

A Petition from a Number of Inhabitants, residing on and near the River *Schuylkill*, was presented to the House and read, setting forth, that the good Intention of the late Act of Assembly for preserving Fish in the said River, is much defeated by a frequent Practice among the Inhabitants, near the Mouth, of using several Seines in one Pool during the Fishing Season, by which Means few Fish escape, and the upper Inhabitants are deprived of getting a Proportion thereof, to the great Loss and Injury of the poorer Sort, who were chiefly supported thereby; and praying the House would be pleased to take the Premises into Consideration, and direct that no more than one Seine be used for the future in any particular Pool, or take such other Measures as they may think most effectual for the Relief of the Petitioners. *Ordered to lie on the Table.*

The House proceeded in the Consideration of the Governor's Message of the Sixteenth ult. and his Majesty's Requisition, by the Secretary of State's Letter, of a further Levy of Troops in this Province, to facilitate the Operations of the current Year; and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House again took into Consideration the Governor's Message of the Sixteenth ult. with the Secretary of State's Letter, and after further Debate thereon,

Resolved, upon the Question,

That One Thousand effective Men (Officers included) be forthwith levied for his Majesty's Service, and that the same be clothed and paid by this Province till the Twenty-fifth Day of *November* next ensuing.

Resolved, That this House will, To-morrow Morning, resolve itself into a Committee of the whole House, to consider of Ways and Means for granting Supplies to the Crown for the Service of the current Year.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 12, 1762.

A Certificate for *One Hundred and Fifty-two Pounds Seven Shillings* and *Five-pence* Sterling, the Balance reported by the Committee of Accounts to be due to the Estate of *Richard Partridge*, Esq; deceased, for his Services as Agent to the Province, was drawn at the Table, and signed by the Speaker, by Order of the House.

Pursuant to the Order of last Night, the House resolved itself into a Committee of the whole House, to consider of Ways and Means for granting Supplies to his Majesty for the Service of the current Year; and after some Debate thereon, Mr. Speaker resumed the Chair, and Mr. *Ashbridge* reported from the Committee, that they had gone into some general Thoughts and Considerations upon Ways and Means of raising Supplies to the Crown; but, previous to any Result thereon, find it necessary they should be furnished with the usual Estimates, which they expect to be possessed of by the Afternoon, when they request Leave to sit again.

Resolved, That the House will, in the Afternoon, again resolve itself into a Committee of the whole House, to consider further of Ways and Means for granting Supplies to the Crown, for the Service of the current Year.

A Remonstrance from Messieurs *John Relfe*, *Joseph Wood*, *Thomas Riche* and *Enoch Story*, of the City of *Philadelphia*, was presented to the House and read, setting forth, that they are informed a Bill is about to be brought into the House for paving the several Streets within the inhabited Parts of the said City; that the Remonstrants, and others, Managers of a late Lottery set on Foot for the same useful Purpose, have Reason to expect, that in a few Months they shall be possessed of a Sum of Money amounting, as near as they can at present calculate, to *Three Thousand Pounds*, which Sum has been raised by the said Lottery, for the Purpose aforesaid; that the Remonstrants, being very desirous to contribute

all in their Power towards the good Work of paving the Streets of the said City, beg Leave to acquaint the House, that should a Law be passed during the present Sitting of Assembly, granting any Thing for that Purpose, they will, with great Cheerfulness, pay into the Hands of such Persons as shall be appointed by the said Act to superintend the said Work, what Money may come into their Hands, as the Profits arising from the said Lottery.

Ordered, That the Committee appointed the Third ult. to prepare and bring in a Bill for paving the Streets of *Philadelphia*, do add a Clause to the said Bill, for appropriating the Money arising from the said Lottery to the Use for which it was raised.

Then the House adjourned to Three o'Clock, *P. M.*

The Order of the Forenoon being read,

The House again resolved itself into a Committee of the whole House, to proceed in the Consideration of Ways and Means for raising Supplies to the Crown, and, after some Time spent therein, the Speaker resumed the Chair, and Mr. *Ashbridge* reported from the Committee, that they had made some Progress in the Business referred to them, but not having yet come to a full Result thereon, begged Leave to sit again in the Morning, which being agreed to, the House adjourned to Ten o'Clock To-morrow Morning.

March 13, 1762.

A Petition from *James Pendergrass*, late a Soldier in Captain *Jones's* Company, of the third Battalion of the *Pennsylvania* Forces, was presented to the House and read, setting forth, that being on Duty at Fort *Ligonier* when it was attacked by a Party of *French* and *Indians*, he had the Misfortune to receive a Musket Ball in his Instep, which so shattered and destroyed the Bones, that it became absolutely necessary to amputate his Leg, a little below the Knee, by which the Petitioner is rendered incapable of procuring a Living; that he is desirous of returning to *Ireland*, his native Country, in Hopes of Assistance from his Friends, and for that End has applied for, and obtained, a Pass from the Mayor of this City to *Virginia* where he expects to get a Passage Home, but having no Money to defray the Expence of such a Journey, or pay his Passage, he prays the Aid of this House for that Purpose.—Referred to the Provincial Commissioners, who are requested to examine into the Circumstances of the Petitioner, and enable him to get Home, with as little Expence as may be to the Province.

The Order of last Night being then read,

The House resolved itself again into a Committee of the whole House, to consider further of Ways and Means for raising Supplies to the Crown for the Service of the current Year, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Ashbridge* reported from the Committee that having gone through the Business referred to them, they had come to some Resolutions thereon, which he was directed to report to the House, whenever they may be pleased to receive the same.

Ordered, That the Resolutions of the Committee be received immediately by the House.

Mr. *Ashbridge* then, according to Order, reported the said Resolutions of the Committee of the whole House, which he first read in his Place, and then delivered at the Table, where the same being again read, were agreed to by the House, and are as follows, *viz.*

Resolved, That the Sum of *Fifty Thousand Pounds* be granted to his Majesty, for Levying, Paying and Cloathing One Thousand effective Men (Officers included) to be employed in garrisoning and protecting such Forts and Posts within this Province, as his Majesty's Commander in Chief shall order and appoint to be kept up and supported, and for other Purposes for his Majesty's Service.

Resolved, That the Sum of *Fifty Thousand Pounds* be struck in Bills of Credit of this Province, Thirty Thousand thereof to be sunk by the Monies apportioned to *Pennsylvania* out of the late Parliamentary Grants, and the Residue by an Extension of the Excise on spirituous Liquors retailed within this Province, till the Year 1772.

Ordered, That Mr. *Hughes*, Mr. *Fox*, Mr. *Rhoads* Mr. *Melvin*, Mr. *Morton*, Mr. *Wright*, Mr. *M'Connaughy* and Mr. *Moor* be a Committee to prepare and bring in a Bill for granting the Sum of *Fifty Thousand Pounds* to his Majesty, for the Service of the current Year, agreeable to the foregoing Resolves.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

March 15, 1762.

The House met, and adjourned to Ten o'Clock To-morrow Morning.

March 16, 1762.

A Petition from sundry Inhabitants of *Cumberland* County was presented to the House and read, setting forth, that the Trustees appointed by Law for building a Court-house and Prison, and other Purposes for the public Service of the said County, have not fully answered the End of their Appoint-

ment, and praying that the said Trustees may be removed, and such others nominated for the Trust as the Members of the said County have been instructed to propose.

Ordered to lie on the Table.

The Committee appointed to prepare and bring in a Bill for granting to his Majesty the Sum of *Fifty Thousand Pounds*, &c. reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Committee appointed to prepare and bring in a Bill for regulating, paving, pitching and cleansing the Streets of *Philadelphia*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for erecting the Southern Suburbs of the City of *Philadelphia* into the District of *Southwark*, &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 17, 1762.

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

IT being of the greatest Importance to the King's Service that Sir *Jeffery Amherst* should as soon as possible, be acquainted with your Proceedings upon his Majesty's two Requisitions some Time since laid before you, that he may know not only what Assistance he has to depend upon from this Province in the ensuing Campaign, but your Resolutions likewise with respect to the other essential Measure of a Quota of Men for filling up and completing the regular Regiments, so strongly recommended and enjoined by his Majesty; I am to desire that you will acquaint me with your Determinations upon those several Heads, that I may forthwith apprize him thereof, in order that his Excellency, who impatiently expects an Account of them, may be thereby enabled to regulate his Measures accordingly.

March 17, 1762.

JAMES HAMILTON."

Pursuant to the foregoing Message from his Honour, the House resumed the Consideration of the Secretary of State's and Sir *Jeffery Amherst's* Letters, demanding a Quota of Four Hundred and Eighty-two Men from this Province, for recruiting the regular Regiments serving in *America*, and, after some Time spent therein, the Question being put, Whether this House will agree to levy such Quota of Men for the Service aforesaid? the same was unanimously resolved in the Negative.

Ordered, That Mr. *Galloway*, Mr. *Hughes*, Mr. *Wright* and Mr. *Allen* be a Committee to prepare and bring in an Answer to the Governor's Message of this Morning.

The House proceeded in the Consideration of the Bill for granting to his Majesty the Sum of *Fifty Thousand Pounds*, which was in Part read the second time, and debated by Paragraphs.

The Committee appointed to prepare an Answer to the Governor's Message of this Morning, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read, and agreed to by the House, was ordered to be transcribed.

Then the House adjourned to Three o'Clock, *P. M.*

The Answer of the House to the Governor's Message being transcribed according to Order, was again, read, signed by the Speaker, and follows in these Words, *viz.*

May it please your Honour,

THE Representatives of the People of this Province, ever desirous of demonstrating their Loyalty to the Crown, and the utmost Readiness in complying with his Majesty's most gracious Requisitions, as far as the Circumstances of the Province will permit, at the Beginning of this Sitting took into Consideration his Majesty's Demand of a Number of Provincials to serve under his Commander in Chief in these Parts, upon which they have chearfully resolved, notwithstanding the heavy Burden of Taxes already imposed on this young Colony, to raise a Thousand effective Men, to be employed as his Majesty's Commander in Chief shall order and appoint: A Bill for this Purpose is now before us, and will, in a short Time, be presented to your Honour for your Assent.

It would have given us Pleasure, could we accede to the other Requisition made on this Province of furnishing a Number of Men towards recruiting the regular Corps serving in *North-America*; but when we take a View of the large Number of Recruits had from this Province for that Purpose, which, we apprehend, amount to more than has been supplied by all

the other Colonies beside, whereby it is already drained of Men, we are obliged to inform your Honour, we find it impracticable to comply with a Measure so warmly recommended by his Majesty's Secretary of State, and we cannot doubt, were his Majesty apprized of the large Number of Men recruited in this Province, and the present Difficulties of the People arising therefrom, our Inability in this respect will not be esteemed an Instance of Want of due Regard to the Requisitions of the Crown.

Signed by Order of the House,

March 17, 1762.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Douglass and Mr. McConnaughy wait on the Governor, and deliver the foregoing Message.

The House then resuming the Consideration of their Vote on the Eleventh Instant, of *Fifty Thousand Pounds* to the King's Use, and, after some Debate thereon, finding that it will be necessary to make a further Provision for the Contingencies of the current Year, it was resolved, upon the Question, that instead of the said *Fifty Thousand Pounds* so voted, the Sum of *Seventy Thousand Pounds* be now granted to his Majesty, and that the Blank in the Supply Bill before the House be filled up with the said last-mentioned Sum; which being done accordingly, and the said Bill read through the second time, and debated by Paragraphs, the same was ordered to be transcribed for a third Reading.

The Members appointed to wait on the Governor with the Answer of the House to his Message of this Morning, reported, they had delivered the same according to Order; and that his Honour was pleased to say, it was very well.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 18, 1762.

The House resumed the Consideration of the Bill for paving, pitching and cleansing the Streets of *Philadelphia*, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

A Petition from *Paul Riffitts*, a languishing Prisoner in the Goal of this City, with another from several of his Creditors, were presented to the House and read, praying a Bill may be prepared and offered to the Governor for Relief of the said *Riffitts*.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, P. M.

The Petition from a Number of Persons residing on and near the River *Schuylkill*, against using several Seines in one Pool, as practised by the Inhabitants on the lower Parts of

the said River, was, upon Motion, again read, and ordered to lie on the Table for further Consideration.

The Bill for erecting the Southern Suburbs of the City of *Philadelphia* into a District called *Southwark*, &c. being transcribed according to Order, was read the third time, and compared at the Table.

A Bill for continuing an Act passed in the Thirty-third Year of the late Reign, entituled, "*An Act for regulating the Officers and Soldiers in the Pay of this Province*," being brought in by a Member, and presented to the Chair, was read the first time, and then by special Order being again read, was ordered to be transcribed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 19, 1762.

The Bills for granting to his Majesty the Sum of *Seventy Thousand Pounds*, &c. and for continuing an Act of Assembly passed in the Thirty-third Year of the late Reign, entituled, "*An Act for regulating the Officers and Soldiers in the Pay of this Province*," being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

A Rider to the Bill for erecting the Southern Suburbs of the City of *Philadelphia* into the District of *Southwark*, &c. being then presented by a Member to the Chair, the same was twice read, agreed to by the House, transcribed, read the third time, and added to the Bill.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wright* and Mr. *Allen* do wait on the Governor with the three Bills above mentioned, for his Assent to the same.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 20, 1762.

The Members appointed to wait on the Governor with the three Bills passed Yesterday by the House, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

A Petition from the Managers of a Lottery, for completing a *Presbyterian* Meetinghouse in the Township of *Norrington*, was presented to the House and read, setting forth, that prior to the late Act of Assembly for suppressing Lotteries in this Province, the said Managers had erected one for the Purpose

aforesaid, advertised the same in different Parts of the County, and sold a considerable Number of their Tickets; but as the Scheme of said Lottery was not inserted in any Gazette or public News-Paper (though sent to the Printer for that Purpose) before the Fourth Day of last Month, as limited by the Act above-mentioned, they have discontinued the Sale of their Tickets, lest they should incur the Penalties thereby imposed, and pray the Indulgence of the Legislature to proceed with the said Lottery, as the same was set on Foot, and, in great Measure, carried into Execution, before the Petitioners knew of any Prohibition against such Practice.

Ordered to lie on the Table.

Then the House adjourned to *Monday* next at Four o'Clock in the Afternoon.

March 22, 1762.

The House met, pursuant to their Adjournment.

The Bill for paving, pitching and cleansing the Streets of the City of *Philadelphia*, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Rhoads* do wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

March 23, 1762.

The Members appointed to wait on the Governor with the Bill for regulating, paving and pitching the Streets of *Philadelphia*, reported they had delivered the same according to Order; and that his Honour was pleased to say, he would take the same into Consideration, and give it all the Dispatch in his Power.

The Governor, by Mr. Secretary, returned the Bill for erecting the Southern Suburbs of the City of *Philadelphia* into the District of *Southwark*, &c. and acquainted the House, that he was ready to pass the same, when presented to him for that Purpose.

The Secretary also brought down the Bill for granting to his Majesty the Sum of *Seventy Thousand Pounds*, &c. with a written Message from the Governor, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'ON the important Occasion of his Majesty's several Requisitions from this Province, it would have given me the greatest Pleasure to have received such a Bill from you for carrying them into Execution, as I could chearfully and willingly have given my Assent to.

'And I flattered myself, that the solemn Decision of his late Majesty in Council on certain Points long contested between the different Branches of our Legislature, would have fixed them so certainly, that each would have rested satisfied, and that no future Contention could have arisen about them.

'Judge then of my Surprise and Concern, when, on Perusal of the Supply Bill now sent up for my Concurrence, I found it to contain the very same Clauses and Provisions, on account of which, principally, some of your late Laws were repealed.

'I would have amended your Bill, Gentlemen, in such Manner as to have made it correspond with the declared Judgment and Opinion of his late Majesty's Privy Council on an Act of the like Sort, and with the Stipulations entered into on your Behalf, by your Agents in *England*, but that was found impracticable, without being obliged, in a great Measure, to new-model the Bill—a Province more particularly belonging to you—I shall therefore content myself at present with pointing out to you two Clauses or Provisions, which were required by their Lordships to be inserted in a former Supply Bill, as a necessary Condition to prevent its being repealed, one of which is not only entirely omitted, but both of them are virtually contravened by the present Bill; and the Opinion of the Lords of Trade with regard to a third Point, in which the Bill now before me is liable to the strongest and most material Objection.

'The first relates to the Disposition of the public Money, on which their Lordships are pleased to insist, *That the Governor's Consent and Approbation be made necessary to every Issue and Application of the Money to be raised by Virtue of such Act.*

'The second regards Acts for creating and issuing Paper Bills of Credit, in Lieu of Money, on which their Lordships have given their Judgment, *That the Payments by the Tenants to the Proprietaries of their Rents, shall be according to the Terms of their respective Grants, as if such Acts had never passed.*

'The third relates to the connecting and blending Things together in the same Bill, which have not the least necessary Relation to each other, on which the Lords of Trade were pleased to express themselves in the following Words:

'*We have likewise, my Lords, another very material Objection to this Bill as it is now constituted, arising from the Remission being connected with the Loan to Colonel Hunter, with which it has not the least necessary Relation—By this*

Method of blending together, in the same Bill, Things which are, in their own Nature, totally separate, the Crown is reduced to the Alternative of passing what it disapproves, or of rejecting what may be necessary for the public Service: And this Manner of framing Laws has been always so exceptionable to his Majesty, that in Governments more immediately under the Controul of the Crown, it is a standing Instruction to the Governor not to give his Assent, whenever it was proposed that Matters of a different Nature should be regulated in the same Law.

'I do therefore earnestly request you, Gentlemen, to re-consider your Bill, and to make such Alterations therein, as may render it agreeable to the Judgment and Opinion of his Majesty's Privy Council in the Points above-mentioned; and further, that in Consequence of the Opinion of the Lords of Trade, so strongly and deliberately given, you will also exonerate it of their Lordships Objections, by separating from the Bill of Supply all such Parts and Clauses as have no necessary Relation to it, that I may be at Liberty to judge more impartially of their Merits when regulated apart and by themselves.

'When these essential Objections, Gentlemen, which I have now laid before you, are removed, I am in Hopes there are few other Difficulties remaining, but what may be got over in Favour of so necessary and important a Measure as ought to make the principal Object of this Bill, and for that Purpose I now send it down to you.

March 23, 1762.

JAMES HAMILTON."

The House resumed the Consideration of the Petitions of *Paul Riffitts*, and his Creditors, and, after some Time spent therein, adjourned to Three o'Clock in the Afternoon.

The House resumed the Consideration of the Governor's Message of this Morning, sent down with the Supply Bill, and, after some Debate thereon, the Question being put, Whether the House will adhere to the said Bill?—the same was unanimously resolved in the Affirmative.

Ordered, That Mr. *Penington* and Mr. *Wynkoop* wait on the Governor with the said Bill, acquaint him that the House adhere to the same, and desire his Honour will be pleased to pass it as now sent up to him.

The House, upon Motion for that Purpose, again took up the Petitions of *Paul Riffitts*, and his Creditors, which were again read, and, after some Debate thereon,

Ordered That Mr. *Fox* and Mr. *Rhoads* do enquire into the

Circumstances of the said *Rifflits*, and make Report thereof to the House at their next Meeting.

The House then resumed the Consideration of the Petition of the Managers of a Lottery for completing a *Presbyterian* Meeting-house, in the Township of *Norriton*, and, after some Time spent therein, the Prayer of the said Petition was un-animously rejected.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 24, 1762.

The Members appointed to wait on the Governor with the Bill for granting the Sum of *Seventy Thousand Pounds* to his Majesty, &c. and acquaint him, that the House adhere to the said Bill, reported, they had done the same according to Order.

The House then taking into Consideration the Distribution of the Two Hundred Copies of Messieurs *Weiss* and *Miller's* Edition of the Laws of this Province, agreed to be purchased by the House, ordered that the same be delivered to the Clerk of Assembly, and disposed of as follows, *viz.*

Two Copies thereof to the Honourable the Proprietaries THOMAS and RICHARD PENN, Esquires—two to the Governor—one to each Member of Assembly—one to the Agent—one to each of the Judges of the Supreme Court—one to each Justice of the Peace of the several Counties—one for the Use of the Court of Quarter Sessions of each County, and Grand Jury, to be kept by the Clerk of the Sessions—one for the Use of the Board of Commissioners and Assessors of each County, for the Time being, to be kept by their Clerk—one to each of the Boroughs of *Bristol*, *Chester* and *Lancaster*, and one to the Clerk of Assembly for his Trouble in receiving and delivering the said Books as above directed.

Ordered, That Mr. Speaker, the Provincial Commissioners, Mr. *Rhoads*, Mr. *Penington*, Mr. *Wright*, Mr. *M'Connaughy*, Mr. *Allen* and Mr. *Potts* be a Committee to attend the ensuing General Treaty, to be held by this Government with the Northern and Western *Indians*, at the Borough of *Lancaster*.

Ordered, That Mr. *Fox* and Mr. *Evans* wait on the Governor, and acquaint him with the Names of the Members appointed to attend the said Treaty.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by the Secretary, returned the Bill for regulating and paving the Streets of the City of *Philadelphia*, with some literal Amendments, and acquainted the House, that his Honour was ready to pass the same when presented to him for that Purpose, and expected he might be able to let them know his Result on the Supply Bill by To-morrow.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 25, 1762.

The Gentlemen appointed to wait on the Governor and acquaint him with the Names of the Committee of Assembly appointed to attend the ensuing Treaty with the Western and Northern *Indians*, reported, they had done the same according to Order; and that his Honour was pleased to say, he should be very glad of the Company of all or any of the Gentlemen appointed by the House.

The Governor, by Mr. Secretary, again sent down the Bill for granting *Seventy Thousand Pounds* to his Majesty, &c. with a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'THE Alterations proposed to be made in your Supply Bill, were in Consequence of the Judgment and Opinion of his late Majesty's most Honourable Privy Council, on a Bill of the like Nature with this; when, after having heard the Merits of it debated before them by learned Council on both Sides, their Lordships were pleased to report it to his Majesty, as their Opinion, that the same ought to be repealed, unless, among others, two of the Alterations I have now offered to your Consideration should be made therein.

'And as that august Judicatory is deservedly constituted the last Resort in all Cases from the Plantations, I was in Hopes, and indeed made no Doubt, but you would have acquiesced with their Determination, and regulated your Bill in Conformity to it.

'It could not therefore but give me the greatest Concern to find, by your Message of the Twenty-third Instant, that you adhered to the Bill as sent up to me, thereby refusing to admit of any of the Alterations proposed, and thence, of Necessity, depriving his Majesty of all Benefit from your Grant.

'For whatever the present Occasion for Supplies may be, (and you have heard from the best Authority that they were never greater) I am confident his Majesty would think them purchased at too dear a Rate, were they to be obtained by giving up any of the just, legal and essential Powers of Government.

'I forbore, Gentlemen, to enter particularly into several other Parts of your Bill, which, though not agreeable to me, might yet have been got over in Favour of so important a Service, and confined myself to the three Particulars which

had already undergone the Censure of the Board of Trade, and Privy Council, and received their Determination:—I cannot, however, omit to observe, that, although you are pleased to stile it a Grant to his Majesty of *Seventy Thousand Pounds*, yet, in Reality, not more than *Thirty Thousand* of this Money, even at the highest Estimate, was to have been made Use of for the Purposes of the King's Requisition, a considerable Part of the Remainder being ordered to be applied to the Discharging of old Debts, and new Services, many of which had not the least necessary Relation to the present Supply Bill, and others for which Payment had already been ordered from the Treasury and Loan-Office.

'You are sensible, Gentlemen, that the sole Intention of your continuing to sit at this Time, was to consider of his Majesty's Requisitions, and to make Provision for carrying them into Execution, and this I acknowledge would have been done in a certain though very inadequate Degree, by the Bill sent up for my Concurrence, had you not, at the same Time, rendered it ineffectual, by having blended with it several Matters totally foreign to, and which had no necessary Connection with, the Supply granted to the King; and moreover by your insisting to retain in it certain Clauses and Provisions which flatly contradict the Judgment and Decree of his late Majesty in Council, which I shall always think it my Duty to regard with the greatest Deference and Respect.

'If the several Provisions respecting the Debts now chargeable, or which may hereafter become chargeable to the Province (and with which your Supply Bill is clogged) be really for the Public Good, as I profess to have as high a Regard for the Honour and Interest of the Province as any Person in it, you may be assured that I now am, or shall at any future Time be, ready to take them into Consideration, and to concur with you in any Measures which shall appear just and reasonable for rendering them beneficial to the Public. I can therefore see no Occasion you have for blending or tacking them to the present Bill of Supply, as you thereby necessarily overthrow your own Work, and instead of advancing the King's Service, impede and obstruct it.

'Upon the Whole, Gentlemen, if, as I would willingly hope, you are seriously and heartily disposed to render the Grant you have made to the Crown effectual, you will no longer delay to separate from your Bill such Parts and Clauses as have no necessary Relation to the principal End and Intention of it, the Supply to his Majesty, and you will also adopt and insert in it the two Clauses or Provisions I mentioned to you

in my Message of the Twenty-third Instant, which were required by the Lords of his Majesty's Council to be inserted in a former Supply Bill, as a necessary Condition to prevent its being repealed, the one for the Sake of Justice, the other from a Regard to the legal Powers of Government, and as not at all interfering with any of the Rights or Privileges of your House, either under your Charter, or other fundamental Law of this Province; which, if you shall longer decline to do, I am afraid you will find no little Difficulty in convincing his Majesty's Ministers of the Sincerity of your Intentions in the Grant you have now nominally made to the King.

'Let me therefore intreat you, Gentlemen, before it is too late, to reconsider your Bill, and to return it again to me as soon as conveniently you can, freed and exonerated of the above-mentioned Objections, in such Manner as that I may cheerfully concur with you in giving my Assent to it, without injuring the just Rights of Government, or wounding my own Honour: For however solicitous I may be, that his Majesty should receive from this Province the best Aid and Assistance we are able to afford him at this critical and important Juncture, which so loudly and importunately calls for it, yet I can never consent to obtain it by inflicting so deep and severe a Wound, both in the executive and legislative Powers of this Government, as the passing of your Bill, as it now stands, would amount to.

March 25, 1762.

JAMES HAMILTON."

The House taking the foregoing Message into Consideration, and having spent some Time therein, the Question was put, Whether the House will appoint a Committee to prepare and bring in a new Bill for granting Supplies to the Crown, as recommended in the said Message by the Governor?

Resolved unanimously in the Negative.

Ordered, That Mr. Fox, Mr. Galloway, Mr. Rhoads, Mr. Penington, Mr. Wynkoop and Mr. Morton be a Committee to consider the Governor's Messages of the Twenty-third and Twenty-fifth Instant, and report thereon to the House at their next Meeting.

Ordered, That Mr. Wayne and Mr. Potts wait on the Governor, and acquaint him, that, as he has been pleased to give his Negative to the Bill for granting Supplies, and the House having gone through the Business before them, they incline to adjourn to the sixth Day of *September* next, and desire to know when his Honour will be pleased to enact into Laws the several Bills returned with his Assent, some of which the House

have not ordered to be engrossed, as they would chuse, for sake of Dispatch, to have them passed in the transcribed Copies that have been already before the Governor.

An Account from the Widow and Administratrix of *Charles Stow*, junior, deceased, for the Sum of *Four Pounds*, in full of the said Decedent's Services as Door-keeper to the Council, being presented to the House by a Member, was allowed, and a Certificate drawn, by Order, at the Table for the same, which being signed by Mr. Speaker was delivered to her.

The House then taking into Consideration the Governor's Support for the current Year, after some Debate thereon,

Resolved, That the Sum of *Six Hundred Pounds* be allowed and given to the Honourable *James Hamilton*, Esq; Lieutenant-Governor of this Province, in Part of his Support for the present Year.

Ordered, That a Certificate for the said Sum of *Six Hundred Pounds* be drawn at the Table, and signed by Mr. Speaker; which was done accordingly, and ordered to be presented to the Governor in the Name and on Behalf of the House.

Then the House adjourned to Three o'Clock *P. M.*

The Members appointed to wait on the Governor with the Message in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to acquaint them, he would be in the Council Chamber at Eleven o'Clock To-morrow Morning, in order to pass the Bills to which he hath given his Assent, and that he had no Objection to the Time of Adjournment proposed by the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 26, 1762.

The House taking into Consideration their Resolve of the Seventeenth of *February*, for purchasing Two Hundred Copies of Messieurs *Weiss* and *Miller's* Edition of the Laws of this Province, after some Debate thereon,

Ordered, That a Certificate for the Sum of *Four Hundred Pounds*, payable to the said *Weiss* and *Miller*, be drawn at the Table, and signed by Mr. Speaker, to be kept in his Hands until they shall have delivered Two Hundred Copies of their said Edition of the Laws of this Province to the Clerk of Assembly for the Time being.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber, to enact into Laws the Bill to which he hath given his Assent."

Ordered, That Mr. Penington and Mr. Pearson do see the Great Seal affixed to the said Bills after they shall be enacted into Laws, and deposite the same in the Rolls-Office.

Then Mr. Speaker, and the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, they had waited on the Governor with two Bills, respectively entituled as follow, viz. "*An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys, and for regulating, making and amending the Water Courses and common Sewers within the inhabited and settled Parts of the City of Philadelphia, and for raising of Money to defray the Expence thereof;*" and, "*An Act for erecting the Southern Suburbs of the City of Philadelphia into the District of Southwark, for making the Streets and Roads already laid out therein, public Roads and Highways, and for regulating such other Streets and Roads as the Inhabitants thereof may hereafter lay out, and for other Uses and Purposes therein mentioned.*—To which Bills the Governor had been pleased to give his Assent, by enacting the same into Laws.—Mr. Speaker also reported, that he had then, in Behalf of the House, presented their Certificate for *Six Hundred Pounds* to his Honour, who was pleased to return his Thanks to the House for the same.

The Members appointed to see the Great Seal affixed to the Bills this Day enacted into Laws, and the said Laws deposited in the Rolls Office, reported the same had been done according to Order.

Then the House adjourned to *Monday* the Sixth of *September* next.

May 3, 1762.

The Representatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, Mr. Speaker, with Sixteen other Members, met in Pursuance thereof, and a Quorum not appearing, they adjourned to Three o'Clock To-morrow Afternoon.

May 4, 1762.

Mr. Speaker, with Nineteen other Members, met, pursuant to the Adjournment of Yesterday, and a Quorum being still wanting,

Ordered, That the Clerk do give immediate Notice, by the Serjeant at Arms, to Mr. Knight, Mr. Chapman, Mr. Gibbons and Mr. Potts, that their Attendance in Assembly is required without further Delay.

The Members present then adjourned to Three o'Clock To-morrow Afternoon.

May 5, 1762.

A Quorum met, pursuant to Adjournment.

Ordered, That Mr. *Knight* and Mr. *Gibbons* wait on the Governor, and acquaint him, that a House being now met, pursuant to his Summons, are ready to enter upon the Consideration of any Business his Honour may be pleased to lay before them, and request a Copy of the Writ by which they were convened.

The Members return, and report, they had delivered the Message of the House according to Order; and that the Governor was pleased to say, he would send down a Message in the Morning, with a Copy of his Writ for calling the Members together.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 6, 1762.

The Governor, by Mr. Secretary, sent down a Copy of his Writ calling the House, with a written Message to them, which were severally read, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I AM sensible of the Inconvenience you are put to by being called from your Homes at this busy Season of the Year, and that too, so shortly after your late very long and fatiguing Session—but the Weight and Importance of the several Matters which have occasioned it, and which I shall now communicate to you, will, I doubt not, satisfy you, that both my Duty to the Crown, and a Concern for the Safety of the People under my Government, render it indispensably necessary.

'You will be pleased then to know, that, within a few Days after your last Adjournment, I had the Honour to receive, from the Right Honourable the Earl of *Egremont*, his Majesty's Declaration of War against the King of *Spain*, with Orders that I should cause the same to be proclaimed in this Province, to the End that his Majesty's Subjects having Notice thereof, might take Care to prevent any Mischief, which otherwise they might suffer from the Enemy, and do their Duty in their several Stations to distress and annoy the Subjects of *Spain*—which Orders were punctually executed by me on the Fifth of the last Month.

'The King (without the least Cause given on his Part) being thus necessarily engaged in War with two very formidable Powers, for vindicating and preserving his just Rights and Possessions in *America*, it becomes more than ever our Duty, who are so nearly interested in the Event, to grant to his Majesty as large and ample Supplies as our Circumstances will admit of; and particularly, to comply, in the most effectual Manner, with his two Requisitions of the Twelfth of *December* last, some Time since laid before you, that the Commander in Chief of his Majesty's Forces may be enabled to employ as great a Number as possible of the regular Troops in these Parts, for prosecuting some great and important Enterprise against the Enemy, in order to reduce them to the Necessity of accepting a Peace on Terms of Glory and Advantage to his Majesty's Crown, and beneficial in particular to his Subjects in *America*.

'It was likewise, Gentlemen, another principal Inducement to my convening you at this Time, that I might move you, without Loss of Time, to turn your Thoughts on the present defenceless State of the Province in general, as well as of this City in particular, and thereby afford you an Opportunity of providing for the Safety of both.

'The first Care of every Legislature should be to secure the civil Establishment, by a wholesome and well regulated Military Force, in order to give Strength and Duration to the Whole; otherwise Liberty, Property, and all that is esteemed valuable amongst Men, must be held by a very precarious and uncertain Tenure, and be liable each Moment to be overturned, or made a Prey of by every bold Invader:—But as the many Instances in which this Province is remarkably deficient in that respect, must frequently have occurred to you in the Course of the War, and will again offer themselves on taking this Matter into your Consideration, there is the less Need for my descending to Particulars, not doubting but you will think it incumbent on you to use the best Means in your Power to guard the Inhabitants against so fatal a Disaster.

'The defenceless State of this City can scarcely be supposed a Secret to our Enemies, and it is much to be apprehended, that, exasperated by their repeated Losses and Disgraces, and fired both with a Thirst of Revenge, and the Hopes of so opulent and easy a Conquest, they may be induced to form Attempts against it; which, whatever Success they may meet with, cannot fail to throw us into the utmost Confusion, and of being attended with the most disagreeable Circumstances:

—I must therefore earnestly recommend it to you to provide,

in the most effectual Manner, for its Protection and Security, as well as for that of its Commerce, on which the Wealth and flourishing State of the Province do, in a great Measure, depend.

'Having thus explained to you, Gentlemen, the Reasons of my calling you together before the Day of your Adjournment, and set before you the Situation of our Affairs at this dangerous Crisis, I have only to add, that, in my Opinion, the Necessity of raising Supplies, not only for the Purposes of his Majesty's Requisitions but for the particular Security and Protection of our own Colony, and its Trade, were never greater, or more urgent, than at present.

'Hence you will allow me again to press upon you, in the most earnest Manner, a full and effectual Compliance with the several Services above pointed out and recommended to you, whereby you cannot fail as well to entitle yourselves to his Majesty's Favour, as to deserve the Thanks and Acknowledgments of your Constitutents.

'And in doing this, I would willingly hope that you will carefully avoid whatever may have the least Tendency to occasion a Disagreement betwixt us, in respect to the Means by which either the King's Service may be prejudiced, or our own good Intentions defeated.

May 3, 1762.

JAMES HAMILTON."

Upon Motion by Mr. Fox,

Acquainting the House with the Decease of *Thomas Leech*, Esq; late a Member of Assembly for the County of *Philadelphia*,

Resolved, That Mr. Speaker do issue his Order to the Provincial Secretary, requiring him to issue a Writ to the Sheriff of the City and County of *Philadelphia*, for electing another Person in the Room and Stead of the said deceased Member: And an Order being drawn accordingly at the Table, the same was signed by the Speaker, and follows in these Words, *viz.*

Pennsylvania, ss.

BY a Resolve of the Assembly of this Day, I am empowered and directed to order the Provincial Secretary that he do issue a Writ to the Sheriff of the City and County of *Philadelphia*, for the Election of a Member to serve as a Representative in this Assembly for the said County of *Philadelphia*, in the Room and Stead of *Thomas Leech*, Esq; deceased: Therefore, by Virtue of the said Resolve, and in Pursuance of an Act of Assembly of this Province in that Case made and provided, I do require that a Writ be issued to the Sheriff of the said

County for the Purpose aforesaid, according to the Direction of the said Law. Dated at *Philadelphia*, the Sixth Day of *May*, *Anno Domini* 1762.

To Joseph Shippen, jun. Esq;

Provincial Secretary.

ISAAC NORRIS, *Speaker.*"

Mr. Speaker laid before the House several Letters of different Dates from *Benjamin Franklin*, Esq; Agent in *Great-Britain*, to the Trustees of the General Loan-Office, relating to the Provincial Draughts and Bills of Exchange drawn on him the said *Franklin*, pursuant to Order of Assembly of the Nineteenth of *February* last; by which Letters it appearing that the said Agent, from a sudden Fall of Stocks, had been rendered incapable of answering the Whole of the Bills so drawn as aforesaid, and that Messieurs *Sargent* and *Aufrere*, Merchants of *London*, had generously engaged to advance, from their private Fortunes, any Sum or Sums of Money that may be found necessary to supply such Deficiency, it was unanimously.

Resolved, That the Thanks of this House be presented, by their Agent, to the said Gentlemen, for their Regard to the Credit of the Province on this Occasion, and that the Trustees of the General Loan-Office do immediately, out of the Monies remaining in their Hands, from the Sale of such Provincial Bills, reimburse all and every Sum, and Sums by them the said *Sargent* and *Aufrere*, so advanced as aforesaid, with the Interest accruing thereon, till the Whole be repaid.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message, which was again read, and after some Debate thereon,

Ordered, That the Provincial Commissioners and Mr. *Allen* do wait on the Governor, and confer with him on the Mode he would recommend as most proper for protecting the City against such Vessels of the Enemy as may attempt to come up our River, and report the same to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 7, 1762.

Upon Motion

Ordered, That the Clerk of Assembly give Notice to the Commissioners of the several Counties of this Province, to bring or send in Duplicates of their respective Assessments for the present Year, that the same may be laid before the House as required by Law.

The Members appointed to confer with the Governor concerning the most effectual Method of protecting the City against Attempts from the Vessels of the Enemy, reported, they had waited on his Honour for that Purpose, and, after a free Conversation with him upon the Subject, found he was of Opinion, that a small well constructed Fort, on *Mud-Island*, mounting about Twenty Pieces of Cannon, would be the best Security to the City under our present Circumstances, the Expence of which, so far as it can yet be ascertained, will not exceed the Sum of *Five Thousand Pounds*; and that it might be further necessary to have a few Guns properly placed in and about the City, as a Provision, in Case the Enemy should at any Time pass the Fortification below. With the foregoing Report the Members also laid before the House a Draught of the Position of the said *Mud-Island*, with the Channel of the River, and other Circumstances necessary to be considered in the Situation of a Fort.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message, and, after further Debate thereon,

Ordered, That Mr. *Galloway*, Mr. *Fox*, Mr. *Rhoads*, Mr. *Wynkoop*, Mr. *Morton*, Mr. *Douglass*, Mr. *Allen*, Mr. *M'Conaughy* and Mr. *Moor* be a Committee to prepare and bring in a Bill for granting to his Majesty the Sum of *Twenty-three Thousand Five Hundred Pounds*, for the Purposes therein mentioned, to be sunk by the Parliamentary Allotment to this Province for the Year One Thousand Seven Hundred and Fifty-nine.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

May 10, 1762.

Mr. Speaker, with Twenty-two Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

May 11, 1762.

The House met pursuant to Adjournment.

The Committee appointed to prepare and bring in a Bill for granting the Sum of *Twenty-three Thousand Five Hundred Pounds* to his Majesty's Use, reported they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading in the Afternoon.

The Members appointed, in a former Sitting of this House, to treat with the Owners of certain Lots of Ground, lying to

the Southward of the State-House Wall, in order to a Purchase thereof for the Use of the Public, reported they had done the same according to Order, and find the Owners inclined to sell at such Price as the said Lots may be valued at by indifferent Persons chosen by the Parties for that Purpose: Whereupon it was ordered, that Mr. *Fox*, Mr. *Rhoads* and Mr. *Allen* do wait on the Governor, and acquaint him with the Inclination of the House to make such Purchase, and request his Concurrence therein.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor, and acquaint him with the Purpose of the House to purchase certain Lots of Ground, fronting on *Walnut-street*, and bounded to the Northward by the State-House Wall, reported they had done the same accordingly; and that his Honour was pleased to say, he thought such Purchase necessary, and should readily concur with the House therein.

Ordered, That Mr. *Galloway*, Mr. *Fox* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill to enable the Representatives of the People to purchase the said Lots for the Use of the Public.

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *Twenty-three Thousand Five Hundred Pounds*, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 12, 1762.

Mr. Speaker brought in, and laid before the House, sundry Letters from *Benjamin Franklin*, Esq; to himself and the Trustees of the General Loan-Office, which were severally read by Order.

The Sheriff of the City and County of *Philadelphia* attending, delivered his Return of a Member to serve in Assembly for the County aforesaid, by which it appears that *John Dickenson*, Esq; was duly elected for that Purpose, in the Room and Stead of *Thomas Leech*, Esq; deceased.

The Bill for granting to his Majesty the Sum of *Twenty-three Thousand Five Hundred Pounds*, for the Purposes therein mentioned, being transcribed, according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Allen* do wait on the Governor therewith, for his Assent to the same.

The Committee appointed to prepare and bring in a Bill to enable the Trustees of the State-House to purchase certain Lots of Ground, the Remainder of the Square whereon the said House is erected, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same having received a first Reading, was, by special Order, read a second time, debated by Paragraphs, and ordered to be transcribed.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for granting *Twenty-three Thousand Five Hundred Pounds* to his Majesty's Use, reported they had delivered the same, according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Mr. *Rhoads*, by Direction of the Managers of the *Pennsylvania* Hospital, presented to the Chair an Account of the Stock, Expences, &c. of the said Hospital, which was read, by Order, and is as follows, *viz.*

*WE, the Committee appointed by the Board of Managers of the
PENNSYLVANIA HOSPITAL, to adjust the Accounts of
the Preceding Year, do REPORT,*

*That the Treasurer HUGH ROBERTS, on account of the
Capital Stock, Credits,*

BY Balance remaining in his Hands, May 1, 1761,	£ 1,483 0 0
By Cash received of the following Persons, for their Bonds paid off, and new Subscriptions,	
Jonathan Copeland, ..	£ 10 0 0
John Smith, ..	
(Kingsess)	10 0 0
William Wishart, ...	10 0 0
Reese Meredith,	40 0 0
Richard Parker,	15 0 0
Isaac Parish,	10 0 0
Jacob Byerly,	5 0 0
John Ross,	15 0 0
Christian Grassold, ..	10 0 0
Marthias Aspdin, ..	10 0 0
William Standley, ...	10 0 0
William Parr,	10 0 0
Joseph Wood,	10 0 0
John Blakely,	20 0 0
David Bacon,	10 0 0
Daniel Joy,	10 0 0
Joseph Watkins,	10 0 0
Rebecca Cooper,	
Legacy,	20 0 0
Thomas Livezey,	
added,	6 0 0
John Correy, added, .	1 5 0
John Vanderen,	10 0 0
Richard Wain,	10 0 0
John Paul,	10 0 0
Samuel Bunting,	5 0 0
John Wood,	10 0 0
Joseph Sims,	10 0 0
James White,	1 2 6
Thomas Willing,	25 0 0
Samuel M'Call,	10 0 0
John Gibson,	10 0 0
Andrew Elliot,	10 0 0
James Craig,	5 0 0
Samuel Wharton,	
added,	10 0 0
Abraham Judah,	10 0 0
William Bradford, ..	
added,	7 0 0
Samuel Emlen,	10 0 0
Philip Kinsey,	10 0 0
Josiah Hughes, added,	7 0 0
Francis Rawle,	
Legacy,	50 0 0
Henry Ward,	5 0 0
James Chalmers, from Jamaica,	20 0 0
Dr. Charles Moore, ..	10 0 0
Carried forward, £ 497 7 6	
Brought forward	£ 497 7 6
John M'Pherson,	25 0 0
Robert Morris,	
Merchant,	10 0 0
John Rely,	10 0 0
Roger Hunt,	10 0 0
Thomas Leech,	10 0 0
James Stevens, added,	7 0 0
Joseph Saunders, ..	
added,	5 0 0
Emanuel Carpenter, ..	10 0 0
Melchior Waggoner	
and Comp.	4 10 0
John Baldwin,	3 10 0
Daniel Clark,	10 0 0
George Kruble,	10 0 0
Dr. John Cox,	12 3 0
Margaret Ashton, ..	
Legacy,	10 0 0
John Caspar Stiver, ..	10 0 0
Isaac Cox, from New- Providence,	10 0 0
Charles Dingee,	10 0 0
John Potts,	15 0 0
Matthias Bush,	10 0 0
Jonathan Herbine, ..	10 0 0
Joshua Ash,	10 0 0
Joseph Fox, added, ..	10 0 0
John Minshall, John Fairland, and others of Middletown, ...	54 0 0
Chester County, ...	
John Hunt, of King- sess,	10 0 0
Peter Dicks, a Legacy	50 0 0
Allan M'Cleane,	10 0 0
George Clymer,	10 0 0
Samuel Miffin,	12 3 0
William Trimble and others, of Concord Township, Chester County,	30 5 7
Isaac Whitelock, of Lancaster,	10 0 0
John Wikoff,	10 0 0
Adam Hoops,	30 0 0
Jacob Jones,	10 0 0
Thomas Griffin of North-Wales, a Legacy,	10 0 0
David Dewar,	5 0 0
	£ 970 19 1
	£ 2,453 19 1

And he Debits,

FOR Cash put to Interest, by Order of of the Managers, as per Bond and Mortgage, dated Ninth Month 12, 1761,	£ 600 0 0
So that the Balance due from him, on Account of the Capital Stock, is	1,853 19 1
	<hr/> £ 2,453 19 1

And on Account of Interest Money he Debits,

BALANCE due him, on Adjustment of Accounts the First of the Sixth Month, 1761,	£ 1,395 1 3
Paid George Weed, Steward and Apo- thecary, nine Orders of the Managers,	£ 450 0 0
Paid Joseph Watkins, for a Cow,	5 0 0
Paid John Reilly, draw- ing Deeds,	10 0 0
Paid for hawling of Wood,	12 0 0
Paid William Mulr, for binding Books,	5 5 6
Paid Robert Kennedy, for Hospital Prints, .	1 17 6
	<hr/> 484 3 0
	<hr/> £ 1,879 4 3

He Credits,

CASH received from sundry Contributors Interest of their Notes,	£ 159 9 6
Received of the Borrowers of Money lent on Interest,	195 2 4
From William Allen, Esq; two annual Subscriptions,	24 0 0
From Anthony Morris, Esq; one Ditto, From William Cox, Esq; annual Sub- scription,	11 0 0
From William Vanderspelgle two Ditto, From William Dunlap two Ditto,	5 0 0
From Henry Grubb, Donation,	2 0 0
Mary Andrews's Annuity,	2 10 0
Cash from sundry Charity-boxes, viz. From William Allen's, Esq;	10 10 0
William Coleman's, Esq;	£ 3 13 1½
Isaac Jones, Esq;	9 11 4½
	<hr/> 11 2 0
	<hr/> £ 24 6 6
Received from several Juries, for Fees, &c.	3 13 6
From several Hatters, a Donation, ...	2 11 8
	<hr/> £ 442 3 7
So that the Balance due to him on this Account is	1,437 0 8
	<hr/> £ 1,879 4 3

*And on Account of the Stock appropriated towards the
Building, he Credits,*

CASH received of sundry Contributors this Year, viz. By the Hands of T. G.	50 0 0
William Morrill's Subscription,	11 10 0
From the Signers of Paper-Money,	166 7 6
Joseph Richardson, Goldsmith, additional Subscription,	4 0 0
John Bayly's Subscription,	10 0 0
Andrew Waggoner's Ditto,	0 15 0
	<hr/> 12 0 0
Jedediah Snowden's Subscription,	2 0 0
Unknown, by J. R.	2 0 0
	<hr/> £ 256 12 6

And he Debts,

For Balance due to him on the Settlement of last Account, the First of Fifth Month, 1761,	£	80	8	6
Paid John Bayly,		10	0	0
Paid Jacob Lewis's Account,		18	13	6
Paid Samuel Neave for Blankets,		10	0	0
Paid Praemium of Insurance of the Hospital,		20	12	6
Paid Jedediah Snowden,		12	0	0
	£	151	14	6
So that the Balance due from him on this Account is,		104	18	0
	£	256	12	6

And we do Report on the General State of the Accounts,

Capital Stock of the PENNSYLVANIA HOSPITAL,

Dr.			Cr.
To 165 Bonds due from sundry Contributors, £2,143 16 8			
To 14 Subscriptions for which Bonds are not given,	84	0	0
To 9 Bonds, with Land Securities, for Money lent sundry Persons on Interest,	3,852	0	0
To Deeds in the Treasurer's Hands for a Lot near Germantown, and an Annuity of £6 per Annum, valued at ...	124	0	0
To Deeds for three Annuities, amounting to £10 1 4, bequeathed by Mary Andrews, valued at	200	0	0
To a Deed in the Treasurer's Hands for an Annuity on John Jones's House, payable by James Black, of 14 Pistoles per Annum, valued at	378	0	0
	£6,781	16	8
Balance due on this Account, which ought to be at Interest, if the annual Expence would allow it,	1,853	19	1
	£8,635	15	9
			£8,635 15 9

Stock appropriated towards building the HOSPITAL.

Dr.	Cr.
To Account of Furniture, &c. paid from the Opening of the Hospital in 1752, to The First of Fifth Month, 1761,£ 600 4 8½	By Cash granted by the Assembly of the Province, with Interest received for it to the Year 1756, 2,393 0 0
To the Cost of the Lot on which the Hospital is erected, 500 0 0	By Amount of Contributions and Legacies received from private Persons, per Account adjusted the First of the Fifth Mo. 1761, 3,133 11 4
To Amount of all Accounts for the Building &c to the First of Fifth Month, 1761, 4,556 0 0	By Cash received by the Hands of T. G. 50 0 0
To the Amount paid this Year for Furniture, 42 5 8	Ditto of William Morrill, 11 10 0
To the Amount paid this Year for the Building Account, and Insurance of £1,500 on the House for seven Years, 50 8 9	Ditto from the Signers of Paper Money, 166 7 6
£5,749 15 11½	Ditto of Joseph Richardson, Goldsmith, 4 0 0
Balance due to this Account, 32 12 10½	Ditto of John Bayly, 10 0 0
£5,782 8 10	Ditto of Jedediah Snowden, 12 0 0
	Ditto unknown, per the Hands of J. R. 2 0 0
	£5,782 8 10

Household Expenses of the HOSPITAL,

Dr.

Cr.

To Balance of this Account, adjusted the First of Fifth Month, 1761,	£1,314 17 7
To Provisions, Fire-wood and Wages, to the 28th of the Fourth Month, 1762,	698 4 6½
Paid Joseph Watkins for a Cow,	5 0 0
Paid John Relly for drawing Deeds, ..	10 0 0
Paid for hawling Wood,	12 0 0
Paid William Muir for binding Books, ..	5 5 6
Paid Robert Kennedy for Hospital Prints,	1 17 6
Paid for Medicines for the Apothecary's Shop,	11 14 8½

BY Interest Money received from sundry Contributors,	£ 159 9 6
By Interest Money from the Borrowers of Money lent,	195 2 4
Of William Allen, Esq: his annual Subscription, two Years,	24 0 0
Anthony Morris, Esq: one Year's Ditto,	11 0 0
William Cox, Esq: one Year's Ditto, ..	5 0 0
William Vander-sneigle, two Year's Ditto,	2 0 0
William Dunlap, two Year's Ditto, ..	2 0 0
Henry Grubb's Donation,	2 10 0
Mary Andrew's Annuity,	10 10 0
From Sundry Charity Boxes viz:	
William Allen's, Esq:	£ 3 13 1½
William Coleman's Esq:	9 11 4½
Isaac Jones's, Esq: ..	11 2 0
Received from several Juries, Fees, &c.	3 13 7
Received from several Hatters a Donation, being of much Overplus of a charitable Contribution raised by them, for the Burial of a poor Hatter,	2 11 8
From the Charity Box in the Hospital Hall,	36 7 5½
Received for a Cow and two Calf skins, sold by the Steward,	7 7 0
By Board of Pay Patients,	164 15 9
	<hr/>
	650 13 9½
Balance expended more than the Income of our Funds	1,408 6 0½

 £2,058 19 10

 £2,058 19 10

The foregoing Accounts were examined, and the List of Bonds, Mortgages and Subscriptions therein referred to, were compared with the Originals, which, with the Deeds for the Houses and Lands mortgaged for Money lent out on Interest,

and the Deeds for the Lot and Annuities granted to the Contributors to the *Pennsylvania* Hospital, and the Seal and Screw thereunto belonging, were found remaining in the Hands of *Hugh Roberts*, the Treasurer.

Pennsylvania Hospital,
28th of Fourth Month, 1762.

JOSEPH RICHARDSON,
JOHN REYNELL."

The Bill to enable the Trustees of the State-House to purchase certain Lots of Ground, the Remainder of the Square whereon the said House is erected, being transcribed, according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Penington* and Mr. *Pearson* do wait on the Governor therewith, for his Assent to the same.

The Members return, and report, they had waited on the Governor with the said Bill, according to Order; and that his Honour was pleased to say, he would take the same into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

May 13, 1762.

Ordered, That Mr. *Fox*, Mr. *Baynton* and Mr. *Rhoads* be a Committee to prepare and bring in an Answer to the Governor's Message of the Third Instant, so far as concerns the Requisitions of the Crown, laid before the House at their last Sitting.

Then the House adjourned to Four o'Clock, *P. M.*

The Committee appointed to consider the Governor's Messages of the Twenty-third and Twenty-fifth of *March* last, presented a Report thereon to the Chair in Writing, which was read by Order, and, after some Debate thereon,

The House adjourned to Ten o'Clock To-morrow Morning.

May 14, 1762.

A Remonstrance from sundry Merchants of the City of *Philadelphia*, was presented to the House and read, setting forth,

THAT the Remonstrants conceive the opening and forming convenient Passages for the Transportation of Merchandize to the Public Markets and navigable Parts of any Country, is of the utmost Importance to its Trade and Commerce, and must greatly advance the general Good and public Welfare thereof.

That, sensible of this evident Truth, the neighbouring

Governments of *New-York* and *Maryland* have opened a commodious Passage from the *Indian* Country for the Carriage of *Indian* Commodities and Merchandize from thence to their respective Markets and navigable Parts, by which their Trade is daily encreasing, to their very great Advantage and Emolument.

That for want of some such convenient Way for the Transportation of their Goods and Effects to and from the *Indian* Country, situate to the Northward and Westward of this Province, the Merchants and Traders of this City have laboured under great Difficulties and Hardships in transporting their Merchandize into the *Indian* Country, and in bringing from thence their Peltry to the City of *Philadelphia*, which can seldom be effected until late in the Summer, by Means whereof they are often damaged by Heat and Worms, to the great Loss of the Merchant, and Discredit of the Trade of the Government.

That the Remonstrants apprehend the Difficulties and Inconveniencies aforesaid might be easily removed, and the *Indian* Commerce of the Province, a most important Branch of the Trade thereof, be greatly encreased, by a Water-passage up the West Branch of the River *Susquehanna*, as from thence, it is thought, the Portage is but short to a navigable Branch of the River *Ohio*.

The Advantages that will result to the Trade of this Province, should such a Passage be discovered and opened, the Remonstrants imagine will be very great, and best known by the happy Consequences that must attend it, as it will enable the Merchants, with more Facility, and less Expence than heretofore, to extend into distant and different Parts of the *Indian* Country, as well up and down the River *Ohio*, as on the Lakes to the Westward, and to receive a Return of their Peltry more early in the Spring, by which Means they may be transported to the *European* Markets sooner than from the neighbouring Governments, and also exempted from the Damages occasioned by the Worms, which too frequently infest them in the hot Season.

These Considerations have induced the Remonstrants to lay before their Representatives the Situation and Circumstances of this important Branch of Trade, and to request that they would be pleased to take the same into their Consideration, and appoint proper Persons to view and inspect the said Passage and Portage, which may be done, at this Season of the Year, at a very small Expence, and make Report of their Doings to the House, that they may pursue such Measures

therein, as to them shall seem most conducive to the true Interest and Welfare of the Province."—

Ordered to lie on the Table.

The House resumed the Consideration of the Report of the Committee on the Governor's Messages of the Twenty-third and Twenty-fifth of *March* last, which being read through, and considered by Paragraphs, was agreed to, and ordered to be transcribed.

The Committee appointed Yesterday to prepare and bring in an Answer to the Governor's Message of the Third Instant, reported an Essay for that Purpose, which being read, and agreed to by the House, was transcribed at the Table, signed by the Speaker, and follows in these Words, *viz.*

May it please your Honour,

ON our first Meeting at this inconvenient Season of the Year, we immediately took into Consideration your Message of the Third Instant, and, with the utmost Dispatch, have presented to your Honour a Bill for granting to his Majesty the Sum of *Twenty-three Thousand Five Hundred Pounds*, for the Protection of the City of *Philadelphia*, and other Purposes for his Majesty's Service.

As to the Requisitions of the Twelfth of *December*, laid before our House at their last Sitting, and again repeated in your present Message, give us Leave to remind your Honour that we, at that Time, presented you with a Bill for that Purpose, to which you were pleased to refuse your Assent—the Answer to the Reasons offered in your Message for refusing to pass that Bill, are contained in the Report of our Committee approved of by the House; with a Copy of which we shall furnish you.

To which we beg Leave to add, that had your Honour accepted the Aids offered, the Men probably might then have been raised, and his Majesty's Service received the Benefit intended from them; since which, such as were then likely to enlist have engaged in Contracts for the Season, and the Province has been so drained of Men, by the Recruiting Parties of the Crown and neighbouring Governments, that we now apprehend, should we grant the Aids required, there would be no Possibility of raising the Men.

And as to the Requisition relating to recruiting his Majesty's Regular Corps, we find no Reasons to alter our Sentiments thereon, communicated to your Honour in our Message of the Seventeenth of *March* last, to which we beg Leave to refer.

Signed by Order of the House,

May 14, 1762.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. Wynkoop and Mr. Pearson wait on the Governor with the foregoing Message.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to acquaint them, he should be in the Council Chamber at Five o'Clock this Afternoon, to enact into Laws the two Bills lately sent up for his Concurrence.

The Governor, by Mr. Secretary, returned the Bills for granting to his Majesty the Sum of *Twenty-three Thousand Five Hundred Pounds*, &c. and for enabling the Trustees of the State-House to purchase certain Lots of Ground, &c. and acquainted the House he was ready to pass the same, whenever they might present them for that Purpose.

Ordered, That Mr. Rhoads and Mr. Fox join with the Members of Council in comparing the engrossed Copies of the Bills sent down by the Governor with their Originals, and that the said Members do see the great Seal affixed to the said Bills after they are passed into Laws, and the same deposited in the Rolls Office.

The Report of the Committee on the Governor's Messages of the Twenty-third and Twenty-fifth of *March* last, relating to the Supplies then offered, being transcribed, according to Order, was again read, and follows in these Words, *viz.*

IN Obedience to the Order of the House we have taken into our Consideration the Governor's Messages relating to the Bill for granting *Seventy Thousand Pounds* to his Majesty's Use, and notwithstanding the Pains the Governor has taken in both of them, to demonstrate a Design in the Assembly of infringing "the just, legal and essential Powers of Government," of inflicting a deep and severe "Wound on both the executive and legislative Part thereof, and of depriving his Majesty of all Benefit from their own Grant," which he is pleased to call a "nominal One;" when their Conduct in this Respect is impartially weighed, your Committee conceive those high Charges will vanish, and the whole Censure, with all the ill Consequences, attendant on his Refusal of the Supplies, can be imputed, with Propriety, to none but himself.

Your Committee also conceive the Representative Body of the People have no Motive to deviate from their Duty in the Mode of granting Supplies to the Crown, none to wound the Constitution, or to trifle with his Majesty, by offering him "nominal Grants," with a Design, at the same Time, "of depriving him of all Benefit therefrom;"—they have no Attach-

ment to private Interest to interfere in this Respect, no Instruction from Individuals to restrain their Understandings, nor any Inducement, but the Service of the Crown, and the Welfare of the Subject, arising from the free and unfettered Exercise of their Reason and Judgment:—It is their undoubted Right to grant Supplies in their own Way, so as to be least oppressive and injurious to the People on whom they are to be levied;—this your Committee apprehend they have done in such Manner as by no Means merited the severe Animadversions made on their Conduct by the other Branch of the Legislature.

But more particularly to consider the Governor's Objections—The first is, that there is no Clause in the Bill by which "the Governor's Consent and Approbation is made necessary to the Issue and Application of the Money to be raised by Virtue thereof:—How groundless this Objection is, will readily appear from the Words of the Bill, which directs that certain Commissioners therein named, "or a major Part of them, with the Consent and Approbation of the Governor, shall order and appoint the Disposition of the Monies arising by Virtue of that Act."—From the natural and common Import of these Expressions, "the Governor's Consent and Approbation" are certainly made necessary to the Issue and Application of the Money granted by the Act; for we can see no Differences between "the Issue and Application" of Money, and the "ordering and appointing the Disposition" thereof, which, by the express Words of the Bill, was to be done "with the Consent and Approbation of the Governor."—This appears so self-evident, that we cannot think it necessary to make any further Remarks thereon.

The second Objection appears to us as unreasonable as the first was groundless—The Governor insists that a Clause should be inserted in the Bill, "that the Payments by the Tenants to the Proprietaries of their Rents shall be according to the Terms of their respective Grants, as if such Acts had never passed."—Here your Committee beg Leave to remark, that as the Proprietaries Contracts for Quit-rents, and many Ground-rents reserved, and other Contracts amongst private Persons, are made in the same Terms, there appears no Reason why the former should have been particularly exempted in our late Bill of the same Tenor with all the other Paper Money Acts of this Province, which, though they as much affected the Interest of every Inhabitant of *Pennsylvania*, under like Circumstances, were both assented to by the Proprietary Governors, and confirmed by the Crown:—And your

Committee are of Opinion with the House, that all Contracts and Property of the same Nature, within this Government, ought to be equally secured by its Laws, since a Depreciation of our Currency must otherwise necessarily ensue, to the great Loss of the *British* Merchants trading hither, and of the whole Province; yet the Clause so repeatedly insisted on by the Governor as a necessary Part of our Bill, besides the partial Exemption it contains of the Proprietary Contracts, must tend to produce this Depreciation of the Currency, which it ought to be the principal Concern of every Person, engaged in the Administration, to guard against, and prevent.

And as to the last Objection, we are at a Loss to remark particularly on it, as the Governor in neither of his Messages has been explicit enough to enable us to discover his Meaning with Certainty.—In his first he contents himself with hinting (by inserting a Transcript from a late Report from the Board of Trade) that the Bill contained “Things which are, in their own Nature, totally separate;” but leaves the House the Task of guessing what those Things are.—In his second Message he is a little more plain, and has enabled us to discover that the several Matters he conceives to be totally foreign to the Supplies granted to the Crown, are “the Debts chargeable to the Province,” and made payable out of the Monies offered by the Bill—Upon Perusal of which we find the Purposes, the Expence whereof was to be defrayed thereby, besides the Cloathing and Paying a Thousand effective Men (Officers included) for the King’s Service, were,

First, certain Purposes mentioned and contained in an Act of Assembly, entituled, “*An Act for appointing certain Persons, therein after named, to apply for and receive the distributive Shares and Proportions which are or shall be allotted to this Province, out of the Sum and Sums of Money granted, or to be granted, by Parliament to his Majesty’s Colonies in America,*” which were to be defrayed by the Tenor of the Bill, out of the same Fund from which the Supplies were offered—These Purposes were principally Debts due from the Crown, one of them to defray a Debt due to the Persons whose Servants were enlisted by his Majesty’s Recruiting Officers—Another to pay a Debt due to the Tavern-keepers on whom his Majesty’s Soldiers were billeted, without receiving an adequate Compensation for the same—A third for the Payment of the Governor’s, Judges and other Certificates due to Persons concerned in the Administration of Government—A fourth and fifth to pay a *Thousand Pounds* given towards opening the River *Schuylkill*, and *Three Thousand Pounds* for

supporting the *Pennsylvania* Hospital; but to all these Purposes the Governor had given his Consent by the before recited Law, so that we cannot suspect that any Objection would arise to the re-enacting in this Bill what he had before so fully and effectually assented to.

The other Purposes are particularly expressed in the Bill;—one of them was “for the Support of such of the late Inhabitants of *Nova Scotia* as were real Objects of Charity,” and sent into this Province by his late Majesty’s military Officers—Another for the Payment of Certificates for Salaries of Officers, and other incidental Charges of Government—A third for paying and sinking certain Provincial Notes, which had been issued for the Use of the Crown, and a fourth for paying for Two Hundred Copies of Laws to be given to the Proprietaries, the Governor, Assembly, and the several Officers of Justice within this Province, and a fifth towards defraying the Expence of a Treaty expected to be held with the Western and Northern *Indians*—All of them Purposes to which the Governor had before given his Assent by the above recited Law, or for the Payment of Debts arising from a Grant heretofore made to the Crown, or for the immediate Use of his Majesty or his Officers of Government.

Upon the whole, your Committee conceive the first of the Governor’s Objections is expressly supplied by the Words of the Bill; that the second is so unreasonable, and full of ill Consequences to the Welfare of the Province, that no Legislature ought to comply with it; and that the third can by no Means have any Weight, when it is considered, that the Purposes he is pleased to call “totally separate in their own Nature,” are either such as he has expressly approved of by a Law now in Force, or for the Service of the Crown, which is nevertheless submitted to the House, by

JOSEPH FOX,
JOSEPH GALLOWAY,
SAMUEL RHODES,

EDWARD PENINGTON,
HENRY WYNKOOP,
JOHN MORTON.”

Ordered, That the foregoing Report of the Committee be delivered, by Mr. Speaker, to the Governor in the Council Chamber.

A Message by the Secretary:

SIR,

“The Governor requires the Attendance of Mr. Speaker, and the Members of Assembly, in the Council Chamber, to enact into Laws the two Bills to which his Honour hath given his Assent.”

Then Mr. Speaker, with the whole House, waited on the

Governor, and being returned, the Speaker resumed the Chair, and reported, they had waited on his Honour with two Bills, respectively entituled as follow, viz. "*An Act for granting to his Majesty the Sum of Twenty-three Thousand Five Hundred Pounds, for the Purposes therein mentioned,*" and, "*An Act to enable the Trustees of the State-house to purchase certain Lots of Ground, the Remainder of the Square whereon the said House now stands.*" To which Bills the Governor had been pleased to give his Assent, by enacting the same into Laws—And Mr. Speaker further reported, that he had, agreeable to the Order of the House, delivered to the Governor the Report of the Committee on his Messages of the Twenty-third and Twenty-fifth of *March*; to which his Honour was pleased to say, he knew not whether it required an Answer, but in case he should, on Perusal of it, find one necessary, the House might expect to receive it at their next Meeting.

The Members appointed to see the Great Seal affixed to the above-mentioned Laws, and the same deposited in the Rolls Office, reported, they had seen it done according to Order.

Upon Motion,

Resolved, That the Heirs of *Richard Partridge, Esq*; deceased, be allowed the Sum of *One Hundred and Sixty Pounds* Sterling, in full of the said Decedent's Account of Services as one of the Agents of this Province in *Great-Britain*.

Ordered, That the Committee appointed to attend the ensuing general Treaty to be held with the Northern and Western *Indians*, do inspect the Council Books and Minutes of Property, in order to furnish themselves with such Extracts and Records as may be necessary and serviceable at the said Treaty, for the better Settlement of the *Indian* Complaints in respect to Lands claimed by them.

The House resumed the Consideration of the Merchants Remonstrance, read in the Forenoon, and, after some Debate thereon, referred the Petition of the said Remonstrance to the Governor and *Indian* Commissioners.

Then the House adjourned to *Monday*, the Sixth of *September* next, at Four o'Clock in the Afternoon.

September 6, 1762.

MR. Speaker, with Nineteen other Members, met, pursuant to Adjournment and a Quorum not appearing, they adjourned to Eleven o'Clock To-morrow Morning.

September 7, 1762.

Mr. Speaker, with Twenty-two other Members, met, pursuant to the Adjournment of last Night, and a Quorum being

still wanting, they adjourned to Three o'Clock in the Afternoon.

A Quorum met, pursuant to Adjournment.

Mr. *Dickenson* this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

Ordered, That Mr. *Baynton* and Mr. *Morton* wait on the Governor, and acquaint him, that the House being met, pursuant to their Adjournment, are ready to proceed on any Business his Honour may be pleased to lay before them.

A Petition from sundry Tradesmen, Inhabitants of the City of *Philadelphia*, was presented to the House and read, praying Payment for a Number of Apprentices enlisted into his Majesty's Service, and taken from them without any Compensation for the same.

Ordered to lie on the Table.

The Members appointed to wait on the Governor with the Message of the House, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had no Business to lay before the House at present, but expected he might have a Copy of the Minutes of the late Treaty held at *Lancaster* in Readiness to send down to them about the last of the Week.

Then the House adjourned to *Monday*, the Twentieth of this Instant, at Four o'Clock in the Afternoon.

September 20, 1762.

The House met, pursuant to their Adjournment.

Ordered, That Mr. *Rhoads* and Mr. *Morton* wait on the Governor, and acquaint him, the House being met, pursuant to their Adjournment, are ready to receive any Business his Honour may be pleased to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 21, 1762.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say he should send down a Copy of the Minutes of the late *Lancaster* Treaty, with a Message to the House, some Time in the Afternoon.

Mr. Speaker brought in, and communicated to the House, two Letters of the Tenth of *July* last, one from Messieurs *Sargent*, *Aufrere* and Company, Merchants in *London*, to the Trustees of the General Loan-Office, concerning the Provincial

Bills of Exchange; the other from *Benjamin Franklin, Esq*; to the Speaker, which were severally read by Order; the latter acquainting him that Mr. *Franklin* had taken his Passage for *Philadelphia*, in Captain *Friend*, then near ready to sail; that he had just received Copies of the last Year's printed Votes, of our Supply Bill refused by the Governor, and of his Messages—that, as he had heard of no new Agent yet appointed, he should leave the Affairs of the Province in Charge with Mr. *Jackson*, of the Temple, who is well acquainted with them, very able, and will appear for the Assembly, if there should be Occasion.

Then the House adjourned to Four o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a written Message to the House, with a Copy of the Minutes of the late *Indian Treaty* held at *Lancaster*, and the said Message being read, follows in these Words, *viz.*

G E N T L E M E N,

'IN Pursuance of sundry Invitations from this Government to the *Indians* living to the Westward, on and near the Waters of the *Ohio*, Deputies from several of those Nations (whom we have not seen since the Commencement of the late War) met me at *Lancaster*, on the Ninth of last Month, where, in divers Conferences held for that Purpose, the Peace and Friendship, which formerly subsisted betwixt us, but which of late had unhappily been interrupted, were fully renewed and established.

'A very considerable Number also of the *Six Nation Indians* from the Northward, and others residing on the River *Susquehanna*, and its Branches, attended at the same Time and Place, who likewise renewed with us the ancient Chain of Friendship, which had so long subsisted between them and his Majesty's Subjects.—And I have the Pleasure to acquaint you, that, as a Testimony of the Sincerity of the Professions both of the Western and Northern *Indians*, sundry of our People, who had been taken Captives during the late War, have already been delivered up to me, and solemn Engagements entered into, on the Part of the Indians, to restore, in a short Time, all such others as still remain in their Towns and Countries.

'For further Particulars I refer you to the Copy of the Treaty herewith delivered to you.

September 21, 1762.

JAMES HAMILTON."

The Copy of the said Treaty, sent down with the foregoing Message from the Governor, being then in Part read by Order,

The House adjourned to Ten o'Clock To-morrow Morning.

September 22, 1762.

Ordered, That Mr. *Evans*, Mr. *Knight*, Mr. *Pearson*, Mr. *Carpenter* and Mr. *M'Connaughy* be a Committee for Incidental Expences of the current Year.

Mr. Speaker brought into the House, and delivered, a Number of old Accounts, and other Papers, put into his Hands by the Executors of *Thomas Leech*, Esq; deceased, relating to the Expence of erecting the State-House Steeple, which were referred to the Examination of the Committee of Accounts, in order to ascertain and report the Balance due thereon from the Public.

The House again took up the Minutes of the late *Lancaster Treaty* sent down by the Governor, which being further read, they adjourned to Four o'Clock in the Afternoon.

A Petition from sundry Tradesmen, Inhabitants of the City of *Philadelphia*, was presented to the House and read, setting forth, that they have had a considerable Number of Apprentices enlisted into his Majesty's Service, and taken from them, to their great Loss in their several Occupations, and praying such Compensation for the same as the House may think due to them.—Recommended to the Consideration of the succeeding Assembly.

The House again took up the Minutes of the *Lancaster Treaty*, which being further read by Order, they adjourned to Ten o'Clock To-morrow Morning.

September 23, 1762.

The Clerk proceeded, by Order, in reading the Minutes of the *Lancaster Treaty*, which being finished, and the Committee of Assembly, who attended the said Treaty, making some Remarks thereon, the Consideration of the same was referred to the succeeding Assembly.

Then the House adjourned to Four o'Clock, *P. M.*

The House being informed, by a Member, that *John Clare*, of the City of *Philadelphia*, a Petitioner to the last Assembly for Payment of Money due to him from the Estate of *Richard Pearne*, late Collector of Tonnage, &c. for his Services in Measuring Vessels, was attending without, and requested to be heard on the Subject of his Petition before this House, he was admitted, and having represented the Hardships suffered from being so long kept out of his Wages by the Administrators of the said Collector, who have repeatedly assured him the Estate will not pay its Debts, and that he had no Expectation of Relief but from the Bounty of the House, withdrew.

Ordered, That Mr. *Fox* and Mr. *Rhoads*, do make Enquiry of the said Administrators, whether such Insufficiency in the

late Collector's Estate hath prevented the Petitioner's receiving Satisfaction for the Wages due to him, with the Amount thereof, and report the same to the House.

Upon Motion, by a Member, acquainting the House,

That a Number of Captive Children, restored to the Government at the late *Lancaster Treaty*, and sent from thence to *Philadelphia*, though Notice, by the public Papers, has been given to their Friends to remove them, still remain in Town, at a considerable Expence to the Province, which might be prevented by binding the Boys to Trades, and placing the Girls with sober People, who may be willing to take them into their Families;

Resolved, That the Provincial Commissioners, with the Concurrence of the Governor, do bind out and dispose of the said Children to suitable Persons, with a Proviso, that in Case their Parents, or other nearest Relations, shall apply for them, within the Space of one Year hereafter, the Persons with whom they are placed shall be obliged to give them up, upon a Reimbursement from the Public, or the Friends of the said Children, of such reasonable and necessary Expences as they may have been at in keeping them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 24, 1762.

The Committee appointed, by Order of Assembly, to attend the late Treaty at *Easton*, reported some Observations thereon to the House in Writing, which were read by Order, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to make Enquiry of the Administrators of the Estate of *Richard Pearne*, concerning the Sufficiency of the said Estate to pay its Debts, reported they had done the same according to Order; that the Administrators had acquainted them the said Estate would not satisfy its single Debt to the Public; and that the Sum yet due to *John Clare*, in full of Wages, is *Thirteen Pounds Ten Shillings*, as appears by his Account, which they presented to the Chair.

The House taking into Consideration the foregoing Report, and that the Petitioner, *John Clare*, is in Circumstances that must make him a considerable Sufferer, if he should lose what remains due to him from said Estate,

Resolved, That the Sum of *Thirteen Pounds Ten Shillings* be allowed and paid by this House to the said *Clare*, in full of his Demand against the Estate of the late Officer—And an Order on the Provincial Treasurer was accordingly drawn at

the Table for the said Sum, signed by the Speaker, and delivered to the Petitioner.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 25, 1762.

Sundry Accounts of Damages done the Inhabitants by the *Indians* coming to, and returning from, the late Treaty, were laid before the House, with a Petition from the Sufferers for Payment thereof—Recommended to the Consideration of the Governor and Provincial Commissioners, who are requested to discharge the same, if they shall be of Opinion that the said Accounts are reasonable, and ought to be paid by the Government.

The Report of the Committee of Accounts being then read and considered, was allowed by the House, and is as follows, *viz.*

WE, the COMMITTEE appointed by the Assembly of the Province of Pennsylvania, to audit and settle the Accounts of the General Loan-Office, and other Public Accounts, to sink and destroy all the Bills of Credit, pursuant to the late Papermoney Acts, and to count all the Money, and report what Sum we should actually find in their Hands, REPORT,

THAT on the Twenty-fourth Day of September we counted all the Money in the Hands of the Trustees of the General Loan-Office, and found the Sum of ..		£40,266 8 9
That the Trustees, on Account of Interest arising from all the Mortgage Deeds let out, in Pursuance of the several Acts of Assembly, are Charged with the Interest outstanding last Year, the Sum of		£ 4,499 2 9
To the broken Interest received since last Settlement,		1,481 8 6
To the Interest at the Discharge,		35 8 2
		£ 6,015 19 5
That the Trustees have Credit for Money advanced by them out of the Quotas, to pay sundry Draughts of Assembly,		£ 1,485 12 11

By Cash Paid Sundries Per Order, *viz.* 1761.

March

20. Paid Ann Redman, for schooling Debby Montour,	£	0 15 0	
Paid Moles Patterson, for Ditto, .		0 8 0	
	£		1 3 0
Paid Samuel Kirke, for Wood, Dec. 4, 1761, as per Receipt,	£	15 6 4	
Paid Ditto, March 18, 1762,		8 18 2	
Paid Ditto, September 2, 1762, .		22 19 8	
Paid him as Sergeant at Arms, and other Services,		23 6 0	
			60 10 2

Paid Andrew M'Nair, as Door-keeper, and other Services,	23	13	5	
Paid John Guest, for Shoes for Debby Montour,	0	9	0	
Paid for sundry Provincial Notes, Principal, £1,980 0 0				
And Interest, 187 4 1				
	2,167	4	1	
Which Provincial Notes amounting to One Thousand Nine Hundred and Eighty Pounds, we the Committee have burnt,				
To the Trustees Salary,	450	0	0	
To Cash paid for Interest on sundry Provincial Notes	276	5	0	
				£ 2,989 4 8

THAT we have examined the Accounts of Joseph Stretch, Collector for the County of Philadelphia, and find,				
That he Credits the Province by Balance of Account, as settled with the Committee last Year,	£	540	15	7
By Amount of Excise from July, 1761 to July, 1762,	1,906	0	0	
By sundry Retailers per Annum,	231	15	0	
By one Moiety of Seizures,	12	10	0	
				£ 2,691 0 7
That he Charges the Province to Cash paid the Provincial Treasurer,	£	1,961	12	0
To his Commissions, at Five per Cent. 98 1 6				
To Balance outstanding,	631	7	1	
				£ 2,691 0 7

THAT we have examined the Accounts of Joseph Hampton, Collector for the County of Bucks, and find,				
That he Credits the Province by Balance outstanding last Year,	£	26	15	1
By Amount of Excise from July 1761 to July 1762,	255	17	4	
By sundry Retailers, at Three Pounds per Annum,	30	0	0	
				£ 312 12 5
That he Charges the Province to Cash paid Samuel Preston Moore, Treasurer	£	250	0	0
To his Commissions, at Ten per Cent, 25 0 0				
To Balance outstanding,	37	12	5	
				£ 312 12 5

THAT we have examined the Accounts of John Jones, Collector for the County of Northampton, and find,				
That he Credits the Province by Balance outstanding last Settlement,	£	46	12	0
By Amount of Excise from July 1761 to July 1762,	198	8	4	
				£ 245 0 4
That he Charges the Province to Cash paid the Provincial Treasurer,	£	188	8	3
To his Commissions, at Ten per Cent. 18 16 10				
To Balance outstanding,	37	15	3	
				£ 245 0 4

THAT we have examined the Accounts of William Brown, Collector for the County of Cumberland, and find,				
That he Credits the Province by Amount of Excise, and Retailers, for one Year,	£	161	11	0
By Amount of Excise, and Retailers, for one Year,	123	16	4	
By a Moiety of a Fine,	2	10	0	
That he Charges the Province to Cash paid the Treasurer,	£	243	15	6

To Charges of a Suit against John Elder,	4 17 2	
To his Commissions, at Ten per Cent,	27 1 8	
To Balance outstanding,	12 3 0	
		£ 287 17 4
WE do further Report, That the Provincial Treasurer has paid into the Hands of the Trustees of the General Loan-Office, as per Charles Norris's Receipts, viz.		
Of the fourth Eighteenpenny Tax,	£ 2,117 10 0	
Of the fifth Ditto,	23,216 2 3½	
	£25,333 12 3½	
Deduct for sinking, at 5s per £100	63 6 3½	
		£25,270 6 0
Which Sum of £25,270 6 0 we the Committee have burnt.		
THAT we have examined the Accounts of Samuel Preston Moore, Provincial Treasurer, and find, that he Credits the Province on Account of the New Excise,		
By Cash received Joseph Stretch, Collector for Philadelphia County,	£ 1,961 12 0	
Of Charles Humphreys, for Chester County,	425 0 0	
Of James Webb, for Lancaster County, ..	456 0 0	
Of Joseph Hampton, for Bucks County, ..	250 0 0	
Of John Hughes, for Berks County, ..	501 7 2	
Of John Jones, for Northampton County, ..	188 8 3	
Of Thomas Minshall, for York County, ..	105 1 0	
Of William Brown, for Cumberland County,	113 15 6	
		£ 4,001 3 11
That he Charges the Province with Bills of Credit burnt by the Committee, ..		
To his Commissions, at Five per cent,	£ 3,810 13 3	
	190 10 8	
		£ 4,001 3 11
THAT he Credits the Province on Account of the old Excise		
By Balance in his Hands at the last Settlement,	£ 365 5 10	
By Cash received of Joseph Fox, Esq; on Account of Province Island,	99 8 0	
		£ 464 13 10
THAT he Credits the Province, on Account of the fourth Eighteenpenny Tax,		
By Cash received of Thomas Janney, in full for the third Eighteenpenny Tax for Bucks County,	£ 0 10 0	
By Ditto of Philip Syng, for Balance, ..	67 6 1	
Warwick Miller, for his Father Robert Miller, deceased, for Balance for Chester County,	169 7 0	
Jonas Seely, for Berks County,	1,618 19 10	
Robert Miller, for Cumberland, for Balance per their Commissioner's Account, ..	93 4 1	
Abraham Chapman, in full for Bucks County,	100 15 11	
John Blackburn, for York County, ...	74 8 6½	
		£ 2,124 11 5½
That he Charges the Province with Cash paid Charles Norris, per Receipts, ..		
To his Commissions, at Five Shillings per Cent, on Two Thirds,	£ 2,117 10 0	
To Ditto at Ten Shillings per Cent, on one Third,	3 10 8¾	
	3 10 8¾	
		£ 2,124 11 5½
THAT he Credits the Province, on Account of the fifth Eighteenpenny Tax,		
By Cash of Philip Syng, Treasurer for Philadelphia County,	£11,022 6 0	

Humphrey Marshall, in full for Chester County,	3,808 16 10	
Abraham Chapman, for Bucks County, ..	2,205 10 0	
Matthias Slough, for Lancaster County, ..	3,712 13 11	
Adam Yohe, in full for Northampton County,	990 16 5	
Jonas Seely, for Berks County,	7 9 8	
William Miller, for Cumberland County, ..	801 0 0	
John Blackburn, for York County, ...	744 15 9½	
		£23,293 8 7½
That he Charges the Province with Cash paid Charles Norris, per Receipts, ..	£23,216 2 3½	
To his Commissions at Five Shillings, on Two Thirds,	38 13 2	
To Ditto at Ten Shillings, on One Third, ..	38 13 2	
		£23,293 8 7½
THAT he Credits the Province on Account of Duties upon Importation of Negroes, &c.		
By Cash received of Thomas Coombe at Sundry Times, ..		£ 1,855 18 0
THAT he Credits the Province on Account of Duties and Tonnage,		
By Balance at last Settlement,	£ 100 1 5	
By Cash received of Joseph Stretch and Enoch Story, Administrators to the Estate of Dr. Richard Pearne, deceased, at sundry Times,	1,995 0 0	
		£ 2,095 1 5
That he Charges the Province with Cash paid Belitze Renaudet,	£ 531 18 4	
To Cash paid George Bryan, for erecting Piers in Delaware,	850 0 0	
To Ditto paid Daniel Rundle,	473 8 1½	
To Commissions at Ten Shillings per Cent.	9 5 6½	
Balance due to the Province,	230 9 5	
		£ 2,095 1 5
THAT John Hughes, Collector of Excise for the County of Berks, hath not exhibited any Account, but we find he has paid the Provincial Treasurer,		£ 250 17 2
THAT Charles Humphreys, Collector of Excise for the County of Chester, hath not exhibited any Account, but we find he has paid the Provincial Treasurer,		£ 425 0 0
THAT James Webb, Collector of Excise for the County of Lancaster, hath not exhibited any Account, but we find he has paid the Provincial Treasurer,		£ 456 0 0
THAT Thomas Minshall, Collector of Excise for the County of York, hath not exhibited any Account, but we find he has paid the Provincial Treasurer,		£ 105 1 0
THAT the Trustees of the General Loan-Office have drawn Bills of Exchange on Benjamin Franklin, Esq; being the first Parliamentary Allotment, the Sum of Sterl.	£25,000 0 0	
Which at 170 per Cent. Exchange, amounts to	42,500 0 0	
Deduct the Allowance by Law for negotiating, One Fourth per Cent.	106 5 0	
		£42,393 15 0
Which Sum of £42,393 15 0 we the Committee have burnt.		
THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the General Loan-Office, in Exchange Money, the Sum of, Which Sum still remains in their hands.		£ 4,655 4 9
THAT it appears by the Report of the Committee last Year, that there remained in the Hands of the Trustees of the General Loan-Office of the Money lent Colonel John Hunter, the Sum of		£12,952 15 8
Which Sum still remains in their Hands to be burnt.		
AND lastly, we do Report, that we have burnt the Sum of Part of the Quota Money received in the General Loan-Office		£15,488 4 10

We submit these Accounts, with the others, to the Observation and Correction of the House.

Philadelphia, September 25, 1762.

JOSEPH FOX,

JOHN HUGHES,

EDWARD PENINGTON,

SAMUEL RHOADS,

HENRY WYNKOOP,

JOHN MORTON."

The several Certificates, and Orders for Payment of the Members Wages, the Salaries of Officers, and other Incidental Charges, being then read, allowed, and signed by Mr. Speaker, by Order,

The House adjourned to the Thirtieth Day of *September* Instant.

INCIDENTAL CHARGES

To the Honourable JAMES HAMILTON Esq; Governor,	£	600	0	0
To <i>Isaac Norris</i> , Esq; for extraordinary Services,		30	0	0
To <i>Joseph Galloway</i> , Esq; for Ditto,		25	0	0
To the Members of Assembly, for their Attendance, as per List,		688	16	0
To <i>William Allen</i> , Esq; Chief Judge,		200	0	0
To <i>Lawrence Growdon</i> , Esq; second Ditto,		100	0	0
To <i>William Coleman</i> , Esq; third Ditto,		100	0	0
To <i>Joseph Fox</i> , Esq; for his Services on the Committee of Accounts,		12	0	0
To <i>John Hughes</i> , Esq; for Ditto,		12	0	0
To <i>John Baynton</i> , Esq; for Ditto,		12	0	0
To <i>Samuel Rhoads</i> , Esq; for Ditto,		12	0	0
To <i>Edward Penington</i> , Esq; for Ditto,		12	0	0
To <i>Henry Wynkoop</i> , Esq; for Ditto,		9	0	0
To <i>John Morton</i> , Esq; for Ditto,		12	0	0
To <i>John Potts</i> , Esq; for Ditto,		6	0	0
To Mr. <i>Charles Moore</i> , for his Attendance as Clerk of Assembly, and for transcribing and engrossing Bills, &c. &c. &c.		188	15	0
To Messieurs <i>Franklin</i> and <i>Hall</i> , for their Account of printing Laws, Votes, &c.		100	15	0
To <i>Joseph Shippen</i> , Esq; for his Salary as Clerk of the Council, and Account of Warrants, Certificates, &c. &c.		25	12	6
To <i>Richard Hockley</i> , Esq; for affixing the Great Seal to Laws, Votes, &c. &c.		18	0	0

To <i>Charles Brockden</i> , Esq; for his Account of recording Laws, and other Services,	20	9	6
To <i>Joseph Fox</i> , Esq; his Salary as Barrack-Master,	50	0	0
To <i>Samuel Kirke</i> , his Salary as Serjeant at Arms,	10	0	0
To <i>Andrew M'Nair</i> , for his Attendance as Door-keeper, and other Services,	20	15	5
To <i>Jacob Ammen</i> , Door-keeper to the Council, as per his Account,	1	10	0
	<hr/> £ 2,266 13 5		

WE, the Committee for Incidental Expences, have examined the Accounts herein referred to, and find them charged as usual.

Submitted to the House by

ROWLAND EVANS,
GILES KNIGHT,
ISAAC PEARSON,
EMANUEL CARPENTER,
DAVID M'CONNAUGHY."

At an ASSEMBLY held in Philadelphia, the Fourteenth Day of October, Anno Domini 1762, P. M.

October 14, 1762.

BY the Returns of the Sheriffs of the several Counties, it appears that the following Gentlemen were duly elected to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the ensuing Year, viz.

For <i>Philadelphia</i> County.	For <i>Bucks</i> County.	For <i>Lancaster</i> County.
<i>Isaac Norris</i> ,	<i>John Wilkinson</i> ,	<i>Emanuel Carpenter</i> ,
<i>Joseph Fox</i> ,	<i>Giles Knight</i> ,	<i>James Wright</i> .
<i>John Hughes</i> ,	<i>Samuel Browne</i> ,	
<i>Rowland Evans</i> ,	<i>Henry Cruson</i> .	
<i>Plunket Fleeson</i> ,	For <i>Chester</i> County.	For <i>York</i> County.
<i>John Dickenson</i> ,	<i>Nathaniel Pennock</i> ,	<i>David M'Connaughy</i> .
<i>Joseph Galloway</i> ,	<i>George Ashbridge</i> ,	<i>John Blackburn</i> .
<i>Jonathan Mifflin</i> .	<i>Joshua Ash</i> ,	
	<i>Isaac Pearson</i> ,	For <i>Cumberland</i> County.
For the City of <i>Philadelphia</i> .	<i>John Morton</i> ,	
	<i>Isaac Wayne</i> ,	<i>William Allen</i> ,
<i>Benjamin Franklin</i> ,	<i>Joseph Gibbons</i> ,	<i>James Galbreath</i> .
<i>Samuel Rhoads</i> .	<i>John Jacobs</i> .	

For Bucks County.	For Lancaster County.	For Berks County.
<i>Samuel Foulke,</i>		<i>John Ross.</i>
<i>Abraham Chapman,</i>	<i>John Douglass,</i>	
<i>William Smith,</i>	<i>James Webb,</i>	For Northampton County.
<i>James Melvin,</i>		<i>John Moor.</i>

A Quorum of the Representatives being met, proceeded, according to the Charter of Privileges, and Laws of this Province, to the Choice of a Speaker, when ISAAC NORRIS, Esq; was unanimously chosen Speaker of the House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That Mr. Fox, Mr. Rhoads, Mr. Foulke, Mr. Pennock, Mr. Douglass, Mr. Galbreath, Mr. Ross and Mr. Moor be a Committee to wait on the Governor, and acquaint him, that, pursuant to the Charter, and Laws of this Province, a Quorum of the Representatives being met have proceeded to choose a Speaker for the ensuing Year; and request to know at what Time his Honour will be pleased to receive the House, in order that they may present their Speaker, for his Approbation.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

October 15, 1762.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be in the Council Chamber between Eleven and Twelve o'Clock this Forenoon, to receive the House with their Speaker.

A Message by Mr. Secretary:

SIR,

"The Governor is in the Council Chamber, ready to receive the House with their Speaker."

Then Mr. Speaker, with the whole House, waited on the Governor, and being returned, the Speaker resumed the Chair, and reported that the House had waited on the Governor, and presented their Speaker, of whom his Honour had been pleased to approve; and that the Speaker had then, in the Name and on Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may, at all seasonable Times, have free Access to the Governor.

Secondly, That their Persons may be protected from all

Arrests and Insults, during the Time of Privilege accustomed.

Thirdly, That it would please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into Resolves, nor give the least Credit to such Report.

Fourthly, That his own (the Speaker's) unwilling Mistakes (if any) may be excused, and not imputed to the House.

All which he had requested as the Rights and Privileges of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province; and that the Governor was pleased to say, "They were inherent in the Representative Body, and they might always rely on his Protection therein."

A Copy of the Qualification appointed by Law to be taken by Members of Assembly, and the Test of Abjuration, being prepared and brought in, were then taken and subscribed, first by Mr. Speaker in the Chair, and afterwards at the Table by the Members present, in their Order.

Resolved, That *Charles Moore* be Clerk of this House for the ensuing Year; and he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirke* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Andrew M'Nair* be Door-keeper to this House for the ensuing Year.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

Then the House adjourned to Four o'Clock, *P. M.*

Mr. Galloway and *Mr. Ross* appearing in the House this Afternoon, were qualified as usual, and took their Seats accordingly.

Ordered, That *Mr. Fox*, *Mr. Galloway* and *Mr. Hughes* be a Committee of Correspondence for the ensuing Year.

Ordered, That *Mr. Fox*, *Mr. Galloway*, *Mr. Rhoads*, *Mr. Smith*, *Mr. Ashbridge*, *Mr. Douglass*, *Mr. M'Connaughy*, *Mr. Galbreath*, *Mr. Ross* and *Mr. Moor* be a Committee of Aggrievances for the ensuing Year; and that they have full Power and Authority to send for Persons, Papers and Records.

Ordered, That *Mr. Fox*, *Mr. Hughes*, *Mr. Rhoads*, *Mr. Wilkinson*, *Mr. Morton*, *Mr. Pearson*, *Mr. Allen* and *Mr. Ross* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts, and to count all the Monies, and

report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have full Power and Authority to send for Persons, Papers and Records, and to employ the most able Accomptants in the said Service, if they shall find such Assistance necessary.

Ordered, That Mr. *Fox* and Mr. *Galloway*, with the Speaker, be a Committee to revise and correct the Minutes of the House, before they are printed.

A Petition from the Trustees for building a Court-house and Prison at *Easton*, in the County of *Northampton*, was presented to the House and read, setting forth, that they have purchased a Lot of Ground in the Town of *Easton*, and built a Prison on the same, pursuant to the Directions of an Act of Assembly of this Province, entitled, "*An Act for erecting the Northwest Part of Bucks into a separate County*;" and that the Petitioners would likewise erect a Court-house, for the further Accommodation of the public Service of the said County, and for the Ease and Conveniency of the Inhabitants, as by the said Act is also directed; but upon Application made to the Commissioners and Assessors of the said County, to assess and raise Money sufficient to defray the Expence of such Undertaking, are acquainted, that as the Sum limited by the said Act is already expended, in purchasing the Lot, and erecting the Prison aforesaid, they do not think themselves sufficiently authorized, by the same Act, to levy any further Sums for erecting and finishing the said Court-house, without more special Authority from this House: Wherefore the Petitioners, being much importuned by a great Number of the Inhabitants of said County to erect the said court-house, pray the Assembly would take the Premises into Consideration, and enable them to carry their Trust fully into Execution, by such Ways and Means as shall seem most expedient to the House. *Referred to further Consideration.*

The House taking into Consideration, that the Whole of the Sum usually allowed the Governor for his Support, was not given him the last Year, by the then Assembly; after some Time spent therein,

Resolved, That the Sum of *Four Hundred Pounds* be now allowed and given to the Honourable JAMES HAMILTON, Esq; Lieutenant-Governor of this Province, &c. as the Remainder of his Support for the past Year.—

And a Certificate for the said Sum of *Four Hundred Pounds* being accordingly drawn at the Table, and signed by the Speaker,

Ordered, That Mr. *Fox* and Mr. *Allen* wait on the Governor

with the same, and acquaint him, that the House having gone through the Business usually before them at this Time of the Year, incline to adjourn to *Monday*, the Tenth of *January* next, if his Honour hath nothing to communicate to them which requires their longer Sitting.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 16, 1762.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same, with the Certificate of Assembly, according to Order; and that his Honour was pleased to say, he had no Business to lay before the House as present that required their longer Sitting, and returned them his Thanks for the Certificate presented to him.

Upon Motion by a Member, acquainting the House,

That a Number of *French* Prisoners, brought into this Port about three Months ago, were ordered by the Governor to the Work-house, where they yet remain, at a great Expence to the Keeper, and having neither Shoes or Stockings, and very little other Cloathing, must, in a short Time, as Winter is approaching become great Sufferers, if their Necessities are not relieved by the Government; the House took the said Motion into Consideration, and after some Time spent therein,

Resolved, That the Provincial Commissioners do, with the Concurrence of the Governor, supply the present Wants of the said Prisoners from the public Money, and recommend to his Honour, to give Orders that the first Opportunities be taken for sending them Home, to prevent further Expence to the Province.

Then the House adjourned to *Monday*, the Tenth of *January* next, at Four o'Clock in the Afternoon.

January 10, 1763.

The House met, pursuant to Adjournment.

Ordered, That Mr. *Fox*, Mr. *Franklin*, Mr. *Chapman*, Mr. *Ashbridge* Mr. *Webb*, Mr. *Ross* and Mr. *Moor* wait on the Governor, and acquaint him, that the House being met, pursuant to Adjournment, are ready to proceed on any Business his Honour may have to lay before them.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 11, 1763.

Mr. *Dickenson*, Mr. *Evans*, Mr. *Franklin*, Mr. *Ash*, Mr. *Carpenter* and Mr. *Wright* this Day appearing in the House, were qualified as usual, and took their Seats accordingly.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he had not, at present, any Business in Readiness to lay before the House, but expected he might in a Day or two, and should then communicate it by a written Message.

A Petition from divers Owners of Marsh Land, adjoining the District of *Darby* Meadows, in the County of *Chester*, was presented to the House and read, praying Leave to bring in a Bill for adding the said Piece of Marsh Land to the District aforesaid, in order to the better Improvement of the said Marsh.

Ordered to lie on the Table.

It being moved, that the Minutes of the last *Lancaster* Treaty, sent down from the Governor to the late Assembly, and by them recommended to the Perusal of this House, be again read, for the Information of the new Members, the said Minutes were taken up accordingly, and being in Part read,

The House adjourned to Three o'Clock, *P. M.*

Upon Motion,

The Petition presented at the last Sitting of the House, from certain Trustees, appointed by Act of Assembly to erect a Court-house and Prison at *Easton*, in the County of *Northampton*, was again read by Order; and after some Debate thereon,

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 12, 1763.

Upon Motion,

The Petition from sundry Owners of Marsh Land, adjoining the District of *Darby* Meadows, in the County of *Chester*, was again read, and after some Debate thereon,

Ordered, That the Petitioners have Leave to bring in a Bill for the Purpose expressed in their said Petition.

Pursuant to the foregoing Order, a Bill for enlarging and extending the Southern District of *Darby* Marsh or Meadow Ground, was presented by a Member to the Chair; and the same being read the first time, was ordered to lie on the Table for a second Reading.

The House then proceeded in reading the Minutes of the *Lancaster* Treaty, and after some Time spent therein, adjourned to Three o'Clock, *P. M.*

Pursuant to Recommendation from the preceding Assembly, certain Petitions from a Number of Tradesmen, and other Inhabitants of the City and County of *Philadelphia*, praying a Compensation from the Government for Apprentices taken

from them, by Enlistments into the late King's and his present Majesty's Service, were read by Order; and after some Debate thereon,

Ordered, That Mr. *Dickenson*, Mr. *Franklin*, M. *Cruson*, Mr. *Pearson*, Mr. *Wright* and Mr. *Moor* be a Committee to prepare and bring in a Bill for the Payment of such Masters within this Province as have lost Apprentices by Enlistments as aforesaid.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 13 1763.

A Petition from a Number of Shop-keepers, and others, Inhabitants of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Tickets and small Bills of Credit issued by this Government, for the Conveniency of Change, are generally worn out, and returned to the Loan-Office, or otherwise destroyed and lost; so that frequent Delays, and sometimes Losses, arise to the Petitioners, in the Course of Business, for Want of such Change; and praying the House would take the Premises into Consideration, and make such Provision therein as they may think reasonable.

Ordered to lie on the Table.

A Petition from *Andreas Henry Groth*, of the City of *Philadelphia*, Gentleman, was presented to the House and read, setting forth, that being a Native of that Part of the Dutchy of *Holstein* belonging to the King of *Denmark*, and educated in the Protestant Religion, he came in the Year 1740 to *London*, where he settled, and in the Beginning of the Year 1743 was sworn and admitted into the Place of Painter in Enamel in Ordinary to his late Majesty, and never since was out of the *British* Dominions; that in the Year 1757 he came over, with his Family, to the City of *Philadelphia*, where he has resided ever since, and is very desirous of enjoying the Rights and Privileges of a natural born Subject of this Province; but having yet been only five Years in *America*, he cannot claim the Benefit of the Act of Parliament in Favour of foreign Protestants, or become a Partaker of the Privileges aforesaid, unless by Virtue of a special Act of Assembly of this Province, and therefore praying Leave to bring in a Bill for that Purpose.

Ordered to lie on the Table.

The House resumed the Consideration of the Bill for enlarging and extending the Southern District of *Darby* Meadows, which being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Ordered, That the Clerk make out a Copy of the Minutes

of the late *Indian Treaty*, held at *Lancaster*, in order that the same may be printed, with all convenient Dispatch.

Then the House adjourned to Three o'Clock, *P. M.*

Pursuant to Leave from the House for that Purpose, a Member presented to the Chair a Supplementary Bill to the Act, entituled, "*An Act to enable the Owners and Possessors of a certain Tract of Marsh and Meadow Land, therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Dams, Sluices and Floodgates in Repair,*" &c. which being read the first time, was ordered to lie on the Table for a second Reading.

A Petition, signed by a great Number of Inhabitants of the County of *Northampton*, was presented to the House and read, setting forth, that many Inconveniences must attend Building a Court-house for the said County at the Town of *Easton*, as directed by a late Act of Assembly of this Province; and praying Leave to bring in a Bill for appointing Trustees to erect the said Court-house in some more convenient Part of the said County, nearer the Centre thereof.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 14, 1763.

The House resumed the Consideration of the Supplement to the Act, entituled, "*An Act to enable the Owners and Possessors of a certain Tract of Marsh and Meadow Land, therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Dams, Sluices and Floodgates in Repair,*" &c. which being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Upon Motion,

The Petition of divers Shop-keepers, and other Inhabitants of the City of *Philadelphia*, for striking a Sum of Money in Tickets, and small Bills of Credit, was again read, and after some Debate thereon,

Resolved, That the Sum of *Five Thousand Pounds* be forthwith struck, and emitted in Tickets and small Bills of Credit, not exceeding *Eighteen-pence*, for the more easy exchanging larger Bills already current within this Province.

Ordered, That *Mr. Evans*, *Mr. Franklin*, *Mr. Smith*, *Mr. Jacobs* and *Mr. Webb* be a Committee to prepare and bring in a Bill for striking the said Sum of *Five Thousand Pounds* in small Bills of Credit, as directed by the foregoing Resolve.

Then the House adjourned to Three o'Clock, *P. M.*

Ordered, That Mr. *Franklin*, Mr. *Rhoads* and Mr. *Ross* be a Committee to examine the Laws of this Province, and report to the House such as have been found defective, or are near expiring, and require to be amended or revived.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 15, 1763.

The Bill for enlarging and extending the Southern District of *Darby* Marsh or Meadow Ground, together with the Supplement to the Act, entitled, "*An Act to enable the Owners and Possessors of a certain Tract of Marsh or Meadow Land, therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Dams, Sluices and Floodgates in Repair,*" &c. being transcribed according to Order, the same were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. *Ash* and Mr. *Morton* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

January 17, 1763.

The House met, pursuant to Adjournment.

The Members appointed to wait on the Governor with the two Bills passed by the House on *Saturday* last, reported they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 18, 1763.

Two Petitions, from the Reverend *Charles Magnus Wrangle*, Doctor of Divinity, and *Frederick Kuhl*; one born in the City of *Stockholm*, in the Dominions of the King of *Sweden*, the other at *Rendsburgh*, in *Denmark*, were presented to the House and read, setting forth, that the Petitioners were educated in the Principles of the Protestant Religion; that they have been Residents in this Province for some Years, and during that Time have demeaned themselves in a peaceable Manner, paying due Obedience to the Laws of the Colony; that they are desirous of being invested with the Rights and Privileges of natural born Subjects of his present most gracious Majesty *GEORGE* the Third, but inasmuch as the Time of their Residence in *Pennsylvania* does not entitle them to

the Benefit of the late Statute for Naturalization of foreign Protestants, they have no other Means of obtaining those Privileges, but by an Address to the House, praying Leave to bring in a Bill for that Purpose.

The Petition of *Andreas Henry Groth* being then, upon Motion, read the second time,

Ordered, That the said Petitioners have Leave to bring in a Bill for the Purpose expressed in their several Petitions.

The Committee appointed to prepare and bring in a Bill for Relief of such Persons whose Apprentices have been enlisted into the late King's, or his present Majesty's, Service, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

A Petition from *Thomas James* was presented to the House and read, setting forth, that in the Year 1759, while the Petitioner was Purser of the *Pennsylvania* Frigate, and had under his Care sundry Goods and Merchandize, to dispose of among the Ship's Crew, two of the said Crew deserted from the said Ship, having first broke open the Petitioner's Chest, and taken Goods to the Value of *Thirteen Pounds*, and have never since been heard of; that the Commissioners for the said Frigate, upon Settlement with the Petitioner, deducted the said Sum of *Thirteen Pounds* from his Wages, notwithstanding there had been no Default in the Petitioner, with respect to his Care of the said Goods; and praying the House would take the Premises into Consideration, and grant such Relief therein as they may think due to him. *Ordered to lie on the Table.*

A Petition from a Number of Inhabitants of the County of *Bucks* was presented to the House and read, praying a Revival and Amendment of the Laws of this Province against trespassing Creatures. *Ordered to lie on the Table.*

Pursuant to Leave from the House for that Purpose, a Bill was presented by a Member to the Chair, to enable certain Persons, therein named, to hold Lands, and to invest them with the Privileges of natural born Subjects of this Province; which being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'AN Act of Assembly of this Province, passed in the Year 1759, entitled, "*An Act for granting to his Majesty the Sum*

of One Hundred Thousand Pounds," &c. having, pursuant to the Royal Charter, been laid before his Majesty in Council, and the Merit thereof having been fully debated, as well on the Part of the Honourable Proprietaries, as of the Assembly and People of this Province, before a Committee of his Majesty's most Honourable Privy Council for Plantation Affairs; their Lordships, after a full Hearing, were pleased to report, as their Opinion, to his Majesty, that *the said Act was fundamentally wrong and unjust and ought to be repealed, unless certain Alterations and Amendments, specified in the Body of the said Report, could be made therein.*

Whereupon the Agents for the Assembly, sensible of the Inconveniences which must necessarily arise to the People from a Repeal of the said Act, and desirous to prevent the same, did propose, agree to, and subscribe, in the Books of the Privy Council an Engagement in the following Words, viz.

'We, the undersigned, Benjamin Franklin and Robert Charles, Agents for the Province of Pennsylvania, do hereby consent, that in case an Act passed in the said Province, in April 1759, entitled, An Act for granting to his Majesty the Sum of One Hundred Thousand Pounds, and for striking the same in Bills of Credit, in the Manner herein after directed, and for providing a Fund for sinking the said Bills of Credit, by a Tax on all Estates real and personal, and Taxables within this Province, shall not be repealed by his Majesty in Council, we the said Agents do undertake, that the Assembly of Pennsylvania will prepare and pass, and offer to the Governor of the said Province of Pennsylvania, an Act to amend the aforementioned Act, according to the Amendments proposed in the Report made by the Lords of the Committee of Council this Day upon the One Hundred Thousand Pounds Act, and other Pennsylvania Acts; and we will indemnify the Proprietaries from any Damage they may sustain, by such Act not being so prepared and passed by the Assembly, and offered to the Governor.

'In full Confidence that the above Engagement would be duly performed on the Part of the Assembly, and in respect to other good Purposes of the said Act, their Lordships were thereupon induced to represent to his Majesty, *That he might rely upon this Undertaking for the Assembly by their Agents, and permit the said Act to stand unrepealed, because the Objections, upon which they should have founded their Advice for the Repeal, would certainly be removed, in a Way more agreeable and convenient to the Province.*

'His Majesty having taken the said Report into his Royal

Consideration, was pleased, with the Advice of his Privy Council, to approve of all that was therein proposed to be done. and by his Order in Council, of the Second of *September*, 1760, to declare, that the above-mentioned Act of Assembly should accordingly stand unrepealed.

'Very soon after the aforesaid Report and Order of Council came to my Hands, *viz.* on the Twenty-eighth of *January*, 1761, I laid them before the then Assembly, acquainting them at the same Time, by a Message in Writing, that whenever they should think proper to prepare and offer to me a Bill to alter and amend the aforementioned Act, so as to make it conformable to the Sentiments of the Lords of the Committee aforesaid, approved by his Majesty, and to the express Stipulations of their Agents, as set forth in the said Report, I should think it my Duty to concur with them, by enacting it into a Law.—To this, some Time after, they were pleased to return me an Answer, though by no means a satisfactory one, inasmuch as they did not declare whether they would or would not comply with the Engagements entered into by their Agents, in their Behalf, although I had more than once particularly urged them for an explicit Answer to that Point.

'In this Situation Things have hitherto continued, and the Performance of the Stipulations entered into by your Agents, on your Behalf, yet remains to be complied with, although there is the greatest Reason to believe that those very Stipulations were the Means of exempting the Province from the many Inconveniences it would have been subjected to, by a Repeal of the afore-mentioned Act of Assembly.

'I am now to acquaint you, Gentlemen, that I have it in Command from the Proprietaries, to move you to pass a Bill for altering and amending the aforesaid Act of 1759, for granting *One Hundred Thousand Pounds* to his Majesty, &c. so as to make it conformable to the Terms expressed in the Report of the Committee aforesaid, and to the Engagements entered into by your Agents; and I do accordingly recommend this Measure as fit to be taken into your Consideration, not only because it appears to me extremely just, but because a Refusal, or further Delay, on your Part, may be productive of those Mischiefs and Inconveniences, which a former Assembly seemed so much to apprehend from a Repeal of the said Law, and which it was manifestly the Intention of your Agents to avert, by entering into the aforesaid Engagements. And I cannot but think it a lucky Circumstance, that one of the Gentlemen who acted as your Agent in *England*, during the Whole of this Transaction, is now upon the Spot, and

capable of explaining to you the very good Reasons and Motives that induced him to enter into those Engagements.

January 18, 1763.

JAMES HAMILTON."

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 19, 1763.

The Governor, by Mr. Secretary, sent down the Bill, entitled, "*An Act for enlarging and extending the Southern District of Darby Marsh or Meadow Ground,*" together with the Bill, entitled, "*A Supplement to the Act, entitled, 'An Act to enable the Owners and Possessors of a certain Tract of Marsh or Meadow Ground, therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Sluices and Floodgates in Repair,' &c. and acquainted the House, that his Honour was ready to pass the same into Laws, whenever they should be presented to him for that Purpose.*

Ordered, That the said Bills be engrossed.

Mr. Blackburn, a Member for the County of York, this Day appearing in the House for the first time since his Election, was qualified as usual, and took his Seat accordingly.

A Petition from the Commissioners for paving and cleansing the Streets of the City of *Philadelphia*, was presented to the House and read, setting forth, that the Assessment of *Three-pence per Pound* on the Estates of the Inhabitants of the said City, being charged with the Value of Pavements heretofore pitched in the Cart-way, to the Amount of *Four Thousand Pounds*, and upwards, will scarcely produce enough for cleansing the said Streets; that of the *Three Thousand Pounds* raised by Lottery for Paving, which it was expected would have been paid to the Commissioners Treasurer, only *Thirteen Hundred and Sixty-seven Pounds Fourteen Shillings and Five-pence* have yet been received, and there is but little Prospect of persuading the Managers of the Lottery to settle and pay the Balance, so as not to retard the Work next Summer; that the Commissioners have expended last Year, in repairing, cleansing and paving the Highways and Streets within the District of the City, and in providing Pebbles and Gravel, &c. *Nineteen Hundred and Nineteen Pounds Thirteen Shillings and Five-pence*, actually paid, beside Sums due to sundry Persons, amounting to *Two Hundred Pounds*, and upwards, and that only *Twenty-five Pounds Five Shillings and Seven-pence* remained, on settling Accounts, in the Hands of their Treasurer; that the Petitioners conceive it will be most agreeable to the Public, that the Paving of the said City be carried on without Delay, because the Usefulness of the Pavements already made

depends much thereon, and it is but just the Advantages of the Act should be extended as soon as may be to all Parts of the City, inasmuch as every Inhabitant contributes immediately to the Expence thereof, but that to this End it will be necessary that they be furnished with Money adequate to the Work; that the Expence of digging up and carrying away Heaps of Rubbish and Earth, which have from Time to Time been thrown into the public Cart-way, is very considerable; that those who formerly paved removed these at their own Cost, and many, before whose Houses the Commissioners paved, have chearfully done the same, therefore it may perhaps be thought equitable to oblige all others to remove such Incumbrances, in order for Paving; that much Mischief, and future Expence, might be prevented, if an effectual Restraint was laid on the throwing down Rubbish and Earth in the unpaved Parts of the Streets, as many Persons, either ignorant of the regulated Descents, or careless of the Consequence, offend in this respect, when they might really serve the Public by filling up hollow Places; that the Carriages commonly used in and about the City for Wood, Bricks and Stone, &c. are very hurtful to Pavements, by Reason of the enormous Loads that are laid on them, but more especially because of the extreme Narrowness of the Fellies of the Wheels; that the Encouragement of broad Wheels within the City and Liberties, and a Restraint on the narrow Sort, by limiting the Number of Horses, or otherwise, would be very useful to the Public, and it is apprehended not inconvenient to Particulars; that a Penalty is necessary, to prevent the pulling down the Barricadoes, or Fences, which the Commissioners shall set up, to preserve new Pavements, until they are finished and settled; that it doth not appear clearly, by the late Act, that the Inhabitants are obliged to pave or repair the Foot Passage, where the Cart-way was paved before the passing the said Act; that it is not ascertained with what Materials the Foot-way shall be paved, nor at whose Expence Gutters and Posts be made and provided; that it may be proper to ascertain the Breadth of the Foot-ways, proportionable to the Breadth, and other Circumstances of the said Streets, and to enforce the Regulations heretofore made as to Cellar Doors and Steps into Houses, many of which are too far extended into the Streets, to the great Detriment of the Public; that the Windows of Vaults which by Permission have been in many Places dug under the Streets, being too often left quite open, or insufficiently covered, become dangerous Nuisances; that the Petitioners meet with Obstructions from the Streets being

encumbered with Casks, Cases, Grindstones and Carriages, not in Use, also Boards, Timber, Stone, Bricks, &c. which are often stored in the Streets, where no Building is carrying on; and that those Materials with Lime-houses, &c. frequently remain an unreasonable Time in the public Way, and although the Offender may be bound over, and suffer an expensive Prosecution at Court, yet the Nuisance may remain a long Time; wherefore the Petitioners pray that a Fine be imposed on such Offenders. and a more summary Way appointed for Removal of Nuisances, and that the House, upon Consideration of the Premises, would be pleased to make such Provision therein as to them shall seem necessary.

Ordered to lie on the Table.

Upon Motion,

The Petition of *Thomas James*, late Purser of the *Pennsylvania* Frigate, was again read, and after some Debate thereon,

Ordered, That the Commissioners of the said Frigate do examine into the Facts set forth in the said Petition, and in case they find them truly stated, do make Payment to the Petitioner of the Sum of *Thirteen Pounds*, deducted from his Wages, on account of Goods belonging to the Province, stolen from the Petitioner's Chest, during his Office as Purser aforesaid: And the said Commissioners are also required to prepare and adjust the Accounts of the said Frigate, with a Committee of this House, as soon as conveniently may be.

A Petition from a Number of Inhabitants of the Counties of *Philadelphia*, *Chester* and *Berks*, residing on and near the River *Schuylkill*, was presented to the House and read, praying that the Use of more than one Seine, at a Time, in any particular Pool of the said River, may be prohibited in the lower Parts thereof, that the Inhabitants above may not be deprived of their equal Proportion of Fish in the Seasons for catching them.

Ordered to lie on the Table.

A Petition from *Thomas Abel*, Teacher of the Mathematicks, and Author of a late Book containing some Improvements in the Arts of Navigation and Surveying, was, with a Copy of the said Book, presented to the House and read, praying Assistance from the Government towards defraying certain Debts contracted by the Publication thereof.

Ordered to lie on the Table.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to examine the Laws of this Province, and report to the House such as have been found defective, or are near expiring, and require to be amended,

or continued, made their Report in Writing which was read by Order, and follows in these Words, *viz.*

IN Obedience to the Order of the House, we have inspected the Laws of this Province, and find, that the Act to prevent Abuses in the *Indian Trade*, with its Supplement, expires in the Month of *April* next.—We apprehend it to be a salutary Law, and submit it to the Consideration of the House, whether it may not be proper to continue it, with such Amendments as the Experience of the Commissioners, who have executed it, may enable them to suggest.

That the Act directing the Choice of Inspectors for the Counties of *Chester, Lancaster, &c.* is expired.

That the Act for regulating the Nightly Watch, and enlightening the Streets of the City, with its Supplement, will expire at the End of the Sessions of Assembly next after the Fifteenth Day of *September* next.

That the Act to regulate Waggoners, Carters, Draymen and Porters in the City of *Philadelphia*, will expire the Sixth Day of *April* next.

That the Act for establishing Courts of Judicature appears to want some Alterations and Amendments.

And your Committee are of Opinion, that if the several Acts now in Force for the Relief of the Poor were reduced into one general Law, with some Amendments, the same would be more intelligible, more easily executed, and of greater Utility to the Province.

Submitted to the House by

BENJAMIN FRANKLIN,
SAMUEL RHODES,
JOHN ROSS."

The House taking the foregoing Report into Consideration, and having spent some Time therein,

Ordered, That the Commissioners appointed to execute the Law for preventing Abuses in the *Indian Trade*, have Notice to lay before the House a Representation of the present State and Circumstances of the said Trade, with such of their Accounts as may be requisite to shew the Profits or Loss accruing thereon to the Public.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 20, 1763.

A Petition from *John Mitchell*, Keeper of the Goal of the City and County of *Philadelphia*, was presented to the House and read, setting forth, that by an Order from *Jacob Duché*, Esq; late Mayor of the City aforesaid, the Petitioner was re-

quired to receive into his Custody Thirteen Prisoners, brought into this Port by Captain *M'Pherson*, and them safely keep until they should be legally discharged; that no Provision having been made for Subsistence of the said Prisoners, the Petitioner did, at his own Expence, victual and support Six of them, for the Space of Three Months, and upwards, as by an Account annexed to the said Petition more particularly appears; and that the Petitioner being in Danger of losing what he has advanced for their Maintenance as aforesaid, prays the House would take the Premises into Consideration, and grant such Relief therein as they may think due to him.

Ordered to lie on the Table.

The House resumed the Consideration of the Report of the Committee appointed to examine the Laws of this Province, and after some Time spent therein,

Ordered, That Mr. *Wright*, Mr. *Blackburn*, Mr. *Galbreath*, Mr. *Ross* and Mr. *Moor* be a Committee to prepare and bring in a Bill for directing the Choice of Inspectors in the Counties of *Lancaster*, *York*, *Cumberland*, *Berks* and *Northampton*.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare and bring in a Bill for striking the Sum of *Five Thousand Pounds* in Tickets and small Bills, to be exchanged for other Bills of Credit of this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 21, 1763.

The House resuming the Consideration of the Report of the Committee upon the Laws of this Province, after some Debate thereon,

Ordered, That Mr. *Hughes*, Mr. *Dickinson*, Mr. *Galloway*, Mr. *Franklin* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill for continuing and amending the Act entituled, "*An Act to regulate Waggoners, Carters, Draymen and Porters within the City of Philadelphia.*"

Ordered, That Mr. *Hughes*, Mr. *Dickinson*, Mr. *Galloway*, Mr. *Franklin*, Mr. *Rhoads*, Mr. *Knight*, Mr. *Morton*, Mr. *Carpenter*, Mr. *Allen* and Mr. *Moor* be a Committee to prepare and bring in a Bill for regulating the Courts of Judicature within this Province—And that the said Committee do also essay and bring in a separate Draught for limiting the Continuance of actions in the said Courts.

Ordered, That Mr. Fox, Mr. Hughes, Mr. Dickinson, Mr. Galloway, Mr. Evans, Mr. Franklin, Mr. Rhoads, Mr. Knight, Mr. Morton, Mr. Carpenter, Mr. Allen, Mr. Ross and Mr. Moor be a Committee to examine and consider the several Acts passed within this Province, from Time to Time, for Relief of the Poor, and reduce the same into one general Law, for the Consideration of this House.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for striking the Sum of *Five Thousand Pounds* in Tickets and small Bills of Credit, to be exchanged for other Bills of Credit of this Province; which being in Part read the second time, and debated by Paragraphs, they adjourned to Ten o'Clock Tomorrow Morning.

January 22, 1763.

The House took up the Bill for striking *Five Thousand Pounds* in Tickets and small Bills of Credit, to be exchanged for other Bills of Credit of this Province; which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

January 24, 1763.

The House met, pursuant to Adjournment.

A Remonstrance and Petition from divers Inhabitants of the City of *Philadelphia* were presented to the House and read, setting forth, that the public Dock, or Creek, in the South Part of the said City, extending from the River *Delaware* to the Bridge in *Third-street*, is in a great Measure useless, and in its present Condition a Receptacle for the Carcases of dead Dogs, and other Carrion, and Filth of various Kinds, which, lying exposed to the Sun and Air, putrify and become extremely offensive, and injurious to the Health of the Inhabitants; that the Remonstrants conceive the said Dock, or Creek, may be rendered navigable for small Craft, and very commodious for the Conveyance of Fire-wood, Materials for Buildings, and other Necessaries, by being cleared out, planked at the Bottom, and walled on each Side, as well as of great Use for a Supply of Water in case of Fire; that the Number of Still-houses erected of late (many of which are Wooden Buildings) require to be subjected to some Regulations by Law, as well to prevent Accidents by Fire, as to provide for carrying off the Dregs or Returns, which by some Distillers are deposited in Wells, dug for that Purpose, and have been found very pernicious to the Water of the Wells adjacent,

rendering them entirely unfit for common Use, and by others the said Returns are emptied into the public Gutters, to the great Inconvenience of the neighbouring Inhabitants; that the Vaults or Wells for Privies or Necessary Houses throughout the City are dug so deep as to injure the Waters, and render them unwholesome for drinking; that it has long been a Practice to haul out on the Commons, and to leave there unburied, the Carcases of dead Horses, and other Carrion, which are not only extremely offensive to Passengers on the Road, but tend to infect the Air, and to produce Diseases; that to these Nuisances the Physicians attribute, in great Measure, the usual Unhealthiness of the City, in the latter Part of Summer and Autumn, and apprehend, if permitted to continue, may be productive of Consequences more fatal than have already been felt: Wherefore the Remonstrants request the House would be pleased to take the Premises into Consideration, and prepare such Laws for the Removal and Prevention of the afore-mentioned Nuisances, as they may judge most effectual for that Purpose.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 25, 1763.

A Petition from sundry Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth, that the public Dock, in the South Part of the said City, is almost useless; and praying the House would make Provision by Law for cleansing and keeping open the same, under such Regulations as may be thought most conducive to public Utility.

Ordered to lie on the Table.

A Petition from *John Harris*, of *Paxton Township*, in the County of *Lancaster*, was presented to the House and read, setting forth, that in Consequence of Instructions from *George Croghan*, in *December 1755*, he continued a Guard of Thirty-two Men upon the Frontiers of the said Township, for the Space of Eighteen Days, agreeable to Orders received from *Benjamin Franklin*, Esq; and as the said Men have never received any Pay for the said Duty, occasioned by the Absence of Mr. *Franklin*, and have repeatedly applied to the Petitioner for the same, he prays the House would take the Premises into Consideration, and enable him to make Payment to the said Men for their Services.

Ordered to lie on the Table.

The Committee appointed to prepare and bring in a Bill for amending and continuing the Act, entitled, "*An Act for directing the Choice of Inspectors in the Counties of Lancaster, York, Cumberland, Berks and Northampton*," reported, they

had essayed a Draught for that Purpose, which they presented to the Chair and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Bill for striking the Sum of *Five Thousand Pounds* in Tickets and small Bills of Credit, to be exchanged for other Bills of Credit of this Province, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Wright* and Mr. *Allen* wait on the Governor therewith for his Assent to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for striking the Sum of *Five Thousand Pounds* in Tickets and small Bills of Credit, to be exchanged for other Bills of Credit of this Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Mr. Speaker informed the House, that he had received a Message by the Secretary from the Governor, acquainting him, that in Pursuance of the Commands of the Crown, received by the Packet just arrived at *New-York*, he should give Orders for proclaiming a Cessation of Hostilities, at the Court-house, at Twelve o'Clock To-morrow, and requested the Company of the Members of Assembly on the Occasion.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 26, 1763.

A Remonstrance from *Daniel Williams* and *Michael Hillegas*, two of the Commissioners for the County of *Philadelphia*, was presented to the House and read, setting forth, that by the several Acts of Assembly of this Province, passed in the Years 1758 and 1759, for the levying and raising Money for the King's Use, the Fines on all County, Township and Ward Assessors, for refusing or neglecting to serve the Offices they are respectively chosen for, are very heavy and burdensome, particularly in the last mentioned Act, where they are fixed at *Fifty Pounds*, without leaving any discretional Power to remit the same, though the Case may really require it;—that the Remonstrants find, from Experience, some have been chosen for the said Offices who could neither write or read; others, just after being chosen, have been obliged to leave the Province, on urgent Business;—that some are not of Ability to pay the Fine; others just in or out of other Offices, in the City or County;—that some have already served in the same Offices,

or others of like Kind, for many Years; all of whom think it a great Hardship to be forced to serve again, or pay *Fifty Pounds*: Wherefore the Remonstrants beg Leave to recommend to the House to take the Premises into Consideration, and grant such Relief therein as they may judge reasonable.

Ordered to lie on the Table.

Resolved, That Mr. Speaker, and the Members of this House, will attend the Governor's Proclamation of Peace at the Court-house, at Twelve o'Clock.

Then the House adjourned to Three o'Clock, *P. M.*

Mr. *Gibbons*, this Day appearing in the House, was qualified as usual, and took his Seat accordingly.

The Committee appointed to prepare and bring in a Bill for regulating the Courts of Judicature within this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair; and the same being read the first time, was ordered to lie on the Table for a second Reading.

The House resumed the Consideration of the Bill directing the Choice of Inspectors in the Counties of *Lancaster, York, Cumberland, Berks* and *Northampton*; which being in Part read the second time, and debated by Paragraphs.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 27, 1763.

A Bill for regulating Apprentices within this Province, being presented by a Member to the Chair, the same was read the first time, and ordered to lie on the Table for a second Reading.

Pursuant to Order of Assembly, of the Nineteenth Instant, the Commissioners for the *Pennsylvania* Frigate presented a State of the Accounts of the said Frigate, which was read, and referred to further Consideration.

Ordered, That *Enoch Story*, Collector of Tonnage and Imposts, have Notice to lay before this House the present State of his Accounts, as soon as conveniently may be.

The House resumed the Consideration of the Bill for amending and continuing the Act, entituled, "*An Act directing the Choice of Inspectors in the Counties of Chester, Lancaster, York, Cumberland, Berks and Northampton*;" and after some Time spent therein, recommitted the said Bill to the Committee that brought it in, for Alteration and Amendment.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion,

The Petition from a Number of Freeholders of the County of *Bucks*, concerning Creatures trespassing within this Province, was again read, and after some Debate thereon,

Ordered, That Mr. *Evans*, Mr. *Cruson*, Mr. *Jacobs*, Mr. *Wright*, Mr. *Blackburn*, Mr. *Galbreath*, Mr. *Ross* and Mr. *Moor* be a Committee to prepare and bring in a Bill to prevent the Concealment and Detainure of stray Creatures trespassing as aforesaid.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 28, 1763.

Upon Motion,

The Remonstrance from the Commissioners for paying and cleansing the Streets of the City of *Philadelphia* was again read, and, after a considerable Debate thereon, the Question being put, Whether a Committee shall be appointed to bring in a Bill to empower certain Persons, therein named, to borrow a Sum of Money, for the Use of the said City, out of the *Fifteen Thousand Pounds* granted to his Majesty, for erecting a Fortification for the Protection and Defence thereof, to be repaid by Taxes levied on the Inhabitants of the said City? the same was resolved in the Affirmative by a great Majority.

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Dickinson*, Mr. *Galloway*, Mr. *Fleeson*, Mr. *Mifflin*, Mr. *Franklin* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill to enable certain Persons, therein named, to borrow a Sum of Money for the Purpose above-mentioned.

Pursuant to the Order of Assembly of the Nineteenth Instant, delivered to the Commissioners for *Indian Affairs*, the said Commissioners laid before the House a general Representation of the State and Circumstances of the Provincial Trade with the *Indians*; also the Amount of Returns from the several Trading-houses, for the Years 1758—59—60—61 and 62; which were read by Order, and referred to further Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Remonstrance from the Street Commissioners, and after some Time spent therein,

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Dickinson*, Mr. *Galloway*, Mr. *Franklin* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill Supplementary to the Act, entitled, "*An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys of the City of Philadelphia,*" &c.

The Committee to which the Bill directing the Choice of Inspectors in the Counties of *Lancaster*, *York*, *Cumberland*, *Berks* and *Northampton* was recommitted for Alteration and Amendment, reported, they had essayed a Draught of the said

Bill, agreeable to the Instructions of the House, which being presented to the Chair, and read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 29, 1763.

The Governor, by Mr. Secretary, returned the Bill, entituled, "*An Act for striking the Sum of Five Thousand Pounds in Tickets and small Bills of Credit, to be exchanged for other Bills of Credit of this Province,*" and acquainted the House, that he could not agree to pass the said Bill.

The Secretary also brought down a written Message from his Honour to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'I HAVE very lately had the Honour to receive from the Right Honourable the Earl of *Egremont*, one of his Majesty's principal Secretaries of State, a Letter, written by the King's Command, in the Words following, *viz.*

SIR,

Whitehall, November 27, 1762.

THOUGH the happy Conclusion of Preliminary Articles of Peace between his Majesty and the most Christian and Catholic Kings, which, it is hoped, will soon be followed by a definitive Treaty of Peace, will make it unnecessary for me to renew his Majesty's Requisition of any further Levy of Men in the several Provinces in *North-America*; the King has, nevertheless, commanded me to express his Surprise at the Conduct of the Assembly of *Pennsylvania* (of which Sir *Jeffery Amherst* has transmitted a full Account) and his Majesty's high Disapprobation of their artfully evading to pay any Obedience to his Majesty's Requisitions; for though they, with seeming Chearfulness, voted the Levy of One Thousand Provincials, for the King's Service, yet his Majesty cannot but consider their having obstinately persisted in the Bill they prepared for that Purpose, to insert several Clauses which had been already disapproved of by the King in Council, and which they knew you could never consent to, consistently with your Duty to his Majesty, and your Obligations to the Proprietaries; I say, the King cannot but consider such Conduct as proceeding from a predetermined Resolution not to afford any Assistance to the Service in general, now the immediate Danger is removed from their own Doors: And the refusing at once to comply with the King's Demands (as your Assembly has done, in that most necessary Service of furnish-

ing a Proportion of Recruits for the regular Forces, and which was so earnestly recommended to them, in the King's Name) or the granting the Levy requested, and afterwards artfully rendering the same ineffectual, are considered by his Majesty as the same Thing, and cannot but equally incur his just Displeasure: And it is his Majesty's Pleasure that you should make known to the Assembly of your Province, in such Manner as you shall judge most proper, these his Majesty's Sentiments of their Conduct, in order that they may not suppose that it is not seen in its true Light. I have, at the same Time, the Satisfaction to assure you, that the King is very sensible of your Zeal for his Service, and that you have urged, with proper Energy, every Argument and Motive to induce the Assembly of *Pennsylvania* to come to a due Sense of their Duty. I am, with great Truth and Regard,

SIR, Your most obedient humble Servant,
EGREMONT."

'Being required to make known to the Assembly of this Province, in such Manner as I should judge proper, his Majesty's Sentiments of their Conduct, with regard to his several Requisitions laid before them the last Year; I have, in Obedience to the Royal Command, made Choice of this Method to communicate them to you, and have, at the same Time, ordered the said original Letter to be laid before you.

January 29, 1763.

JAMES HAMILTON."

Upon Motion,

The Petition of *John Harris*, of *Paxton Township*, in the County of *Lancaster*, for Payment of sundry Persons employed as a Guard on the Frontiers of the said County, was again read, and the Petitioner attending for that Purpose, was called in, and heard in Support of his said Petition; but it not appearing to the Satisfaction of the House, after due Enquiry into the Facts laid before them, that the said Petitioner had any Order from the then Governor, or Commissioners, to take such a Number of Men into Pay, for the Service aforesaid, the Prayer of his Petition was unanimously rejected by the House.

The House resumed the Consideration of the Bill directing the Choice of Inspectors, and for holding the General Elections in the Counties of *Lancaster*, *York*, *Cumberland*, *Berks* and *Northampton*; which being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

January 31, 1763.

Mr. Speaker, with One and Twenty of the Members, met, pursuant to Adjournment; and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

February 1, 1763.

Mr. Speaker, with One and Twenty Members, met again, pursuant to their Adjournment of last Night; and a Quorum being still wanting, they adjourned to Three o'Clock, *P. M.*

A Quorum met, pursuant to Adjournment.

The Bill for directing the Choice of Inspectors, and for holding the General Elections in the Counties of *Lancaster, York, Cumberland, Berks* and *Northampton*, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Dickinson* and Mr. *Galloway* wait on the Governor therewith, for his Assent to the same.

A Petition from *Edward Thomas*, of *Richland*, in the County of *Bucks*, was presented to the House and read, setting forth, that having had the Misfortune to lose his Dwelling-house by Fire, and a considerable Sum of Money therein, *Thirty-three Pounds* whereof were Paper Bills of Credit of this Province; and praying to be reimbursed the said Sum from the Provincial sinking Fund, as if the same had been burnt by the Trustees of the General Loan-Office, pursuant to the several Acts of Assembly of this Province, for that Purpose made and provided.

Ordered to lie on the Table.

A Petition from *Johannes Landaver*, of the County of *Northampton*, was presented to the House and read, setting forth, that being a Protestant, born and educated in the *Lutheran* Church, by Parents of that Religion, in the Dutchy of *Wurtemberg*, in the *German* Empire, the Petitioner transported himself into this Province, where he has lived the Space of Nine Years, and has not been out of his Majesty's Colonies in *America* within that Time; that since his Residence in this Province as aforesaid, he has purchased some Lands and Hereditaments therein, and being willing and ready to take the Oaths of Allegiance to his Majesty King *GEORGE* the Third, according to the Form prescribed by several Acts of Parliament, but having hitherto neglected to do the same, he prays the House would permit his Name to be inserted in the Bill now under their Consideration, for naturalizing certain Persons therein mentioned.

Ordered, That the Petitioner's Name, upon his producing a

Certificate to this House of his having taken the Oaths of Allegiance in due Form, be inserted in the Bill now before them for naturalizing foreign Protestants.

The Bill for Relief of such Persons whose Apprentices have enlisted into the late King's or his present Majesty's Service, being taken up again, and in Part read the second time, after a considerable Debate thereon, the said Bill was recommitted to the Committee that brought it in, for Alteration and Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 2, 1763.

The Committee to whom the Bill for Relief of such Persons whose Apprentices have enlisted into his Majesty's Service, was recommitted for Amendment, reported the same, with some Alterations thereon; which being read, and agreed to by the House, the said Bill was ordered to be transcribed for a third Reading.

The House resumed the Consideration of the Bill to enable the Persons therein named to hold Lands, and to invest them with the Privileges of natural born Subjects of this Province; which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Upon Motion,

The Petitions and Accounts of *James Whitehead* and *John Mitchell*, Keepers of the Work-house and Goal of the City of *Philadelphia*, were again read, and after some Debate thereon,

Ordered, That the said Petitions and Accounts be referred to the Consideration of the Provincial Commissioners, who are hereby authorized, with the Consent of the Governor, to make such Compensation to the Petitioners as they shall, upon due Enquiry, think reasonable.

The House resumed the Consideration of the Petition of *Edward Thomas*, and after some Time spent therein,

Ordered, That the Petitioner have Notice to prepare such Proofs as he can make of the Loss set forth in his Petition, and lay the same before the House, for their Consideration.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Petition from the Trustees appointed by Act of Assembly to erect a Court-house and Prison at *Easton*, in the County of *Northampton*, and after some Time spent therein,

Ordered, That the said Trustees have Notice to lay before this House an Account of the Sums heretofore levied on the

Inhabitants of the said County, and already applied to the Purpose aforesaid, in Pursuance of the late Act of Assembly.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 3, 1763.

The Members appointed to wait on the Governor with the Bill, entitled, "*An Act directing the Choice of Inspectors, and for holding the General Elections in the Counties of Lancaster, York, Cumberland, Berks and Northampton,*" reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Bill for Relief of such Persons whose Apprentices have enlisted into the late King's or his present Majesty's Service, and the Bill to enable certain Persons, therein named, to hold Lands, and to invest them with the Privileges of natural born Subjects of this Province, being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. Galloway and Mr. Allen wait on the Governor therewith, for his Assent to the same.

Upon Motion,

The Petition from divers Inhabitants of the City of *Philadelphia*, for cleansing the Dock, between *Chestnut* and *Walnut-streets*, in the said City, and rendering the same navigable, was again read, and after some Debate thereon,

Ordered, That Mr. Fox, Mr. Hughes, Mr. Dickinson, Mr. Galloway, Mr. Franklin and Mr. Rhoads be a Committee to enquire into, and report to the House, the State of the said Dock, the private Claims thereon, and whether any Places in the North or South Parts of the said City, suitable for public Landings, are to be purchased.

A Petition from a Number of Inhabitants of the City of *Philadelphia*, concerning Nuisances, occasioned by the Dregs or Returns from Still-houses, in the said City, was presented to the Chair, and read, and after some Debate thereon, the Consideration of the said Petition was referred to the Committee appointed to prepare and bring in a Supplement to the Act entitled, "*An Act for regulating, pitching, paving and cleansing the Streets, Lanes and Alleys, &c.*"

Upon Motion,

The Remonstrance from *Daniel Williams* and *Michael Hill-egas*, two of the Commissioners for the County of *Philadelphia*, was again read, and after some Debate thereon,

Ordered, That Mr. Fox, Mr. Galloway, Mr. Evans, Mr. Rhoads and Mr. Morton be a Committee to prepare and bring in a Bill for regulating the Fines imposed upon Assessors chosen, or to be chosen, within this Province.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 4, 1763.

The Trustees for building a Court-House and Prison at *Easton*, in the County of *Northampton*, pursuant to the Order of this House, exhibited an Account of the Sums already expended by them, in erecting the Prison aforesaid; which was read by Order, and referred to further Consideration.

Th Committee appointed to prepare and bring in a Bill for limiting the Continuance of Actions in the Courts of Judicature of this Province, reported, they had essayed a Draught for that Purpose, which they delivered to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Upon Motion,

The Petition from a Number of Inhabitants of the Counties of *Philadelphia*, *Chester* and *Berks*, residing on and near the River *Schuylkill*, relating to the Fisheries on the said River, was again read, and after some Debate thereon,

Ordered, That Mr. Hughes, Mr. Evans and Mr. Jacobs be a Committee to prepare and bring in a Bill to remedy the Grievance complained of in the said Petition.

The House resumed the Consideration of the Bill for regulating Apprentices within this Province, which being in Part read the second time, and debated by Paragraphs,

They adjourned to Three o'Clock, P. M.

The Members appointed to wait on the Governor, with the Bill for Relief of Persons whose Apprentices have enlisted into the late King's or his present Majesty's Service; and the Bill, entituled, "*An Act to enable certain Persons, therein named, to hold Lands, &c.*" reported they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

A Petition from divers Inhabitants of the Counties of *Lancaster* and *Berks* was presented to the House and read, setting forth, that the Inhabitants of the said Counties have, of late Years, been much imposed on, by the Tanners raising the Price of Hides, through an Emulation amongst them to out-purchase one another; whereby Leather, and Shoes of all Kinds, are become so dear, that the poorer Sort of People can

scarcely procure them; and praying the House, upon Consideration of the Premises, would provide a Law for regulating and fixing the Price of those necessary Articles.—

Referred to further Consideration.

The House again took up the Bill for regulating Apprentices within this Province, which being further read the second time, and debated by Paragraphs,

They adjourned to Ten o'Clock To-morrow Morning.

February 5, 1763.

Pursuant to the Order of Assembly of the Twenty-seventh ult. the Collector of Tonnage Imposts laid a State of his Accounts of those Duties before the House, which being read by Order, and it appearing that large Sums due to the Government are yet outstanding, the Collector was called in, and directed by the House to collect the same, as soon as may be.

The House resumed the Consideration of the Bill for regulating Apprentices within this Province, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

February 7, 1763.

The House met, pursuant to Adjournment, and resuming the Consideration of the Address from the Commissioners for *Indian* Affairs, setting forth the present State and Circumstances of the Provincial Trade with the Natives, after some Time spent therein,

Adjourned to Ten o'Clock To-morrow Morning.

February 8, 1763.

The Bill, entituled, "*An Act for regulating Apprentices within this Province,*" being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Rhoads* wait on the Governor therewith, for his Assent to the same.

The Committee appointed to prepare and bring in a Bill for regulating the Fines imposed on Assessors chosen, or to be chosen, within this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Administrators of the Estate of *Richard Pearne*, deceased, late Collector of Tonnage and Imposts, pursuant to the

Order of Assembly, laid before the House a State of their Accounts with the said Estate, which were read, and referred to further Consideration.

The House again took up the Representation from the Commissioners for Indian Affairs, and after some Debate thereon,

Ordered, That Mr. Fox, Mr. Franklin, Mr. Smith, Mr. Ashbridge, Mr. Webb, Mr. Blackburn, Mr. Allen and Mr. Moor be a Committee to prepare and bring in a Bill for amending and continuing the Act for preventing Abuses in the *Indian Trade*, &c.

Then the House adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, returned the Bill directing the Choice of Inspectors, and for holding the general Elections in the Counties of *Lancaster, York, Cumberland, Berks* and *Northampton*; and acquainted the House that he was ready to pass the same, when presented to him for that Purpose.—Mr. Secretary also brought down the Bill, entituled, "*An Act the better to enable the Persons therein named to hold Lands, and to invest them with the Privileges of natural born Subjects of this Province*," with some Amendments thereon, which being read, and agreed to by the House, the said Bills were ordered to be engrossed.

The House resumed the Consideration of the Bill for regulating Fines imposed on Assessors chosen, or to be chosen, within this Province; which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 9, 1763.

The Governor, by Mr. Secretary, sent down the Bill for Relief of Persons whose Apprentices have enlisted into the late King's, or his present Majesty's Service, with some Amendments thereon, which being read, and agreed to by the House, the said Bill was ordered to be engrossed accordingly.

The Bill for regulating Fines imposed on Assessors chosen, or to be chosen, within this Province, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Fox and Mr. Rhoads wait on the Governor therewith, for his Assent to the same.

The Committee appointed to enquire into the State of the Dock, the private Claims thereon, and whether any suitable

Lots for public Landings are to be purchased, beg Leave to report to the House,

THAT they have enquired into the State of the Dock, and find it very necessary for the public Utility that the same be cleansed, and properly walled; and that they cannot find that any Persons have any just and legal Claims to the said Dock, or the Streets laid out adjoining thereto; and that they apprehend convenient Lots for Landings for the City of *Philadelphia*, may be purchased at a reasonable Price, above and below the City, on the River *Delaware*."

Then the House adjourned to Three o'Clock, P. M.

The House resumed the Consideration of the Bill, entitled, "*An Act to limit the Continuance of Actions in the Courts of Judicature within this Province*;" which being read through the second time, and debated by Paragraphs, was ordered to be transcribed, for a third Reading.

Ordered, That the Committee appointed to bring in a Bill supplementary to the Street Act be, and they are hereby authorized and required to call the Commissioners therein named, together with the Managers of a late Lottery set on Foot for paving the Streets of *Philadelphia*, before them, and enquire into the Causes delaying Payment of the Monies arising from the said Lottery, into the Hands of the Commissioners aforesaid, as by Law directed, and make Report thereon to this House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 10, 1763.

A Petition from divers Inhabitants of the County of *Lancaster* was presented to the House and read, setting forth, that they have for a long Time suffered, and do yet grievously suffer, as well from unruly disobedient Servants, as from idle and strolling Vagrants, who take Shelter in the said County and Borough, whereby Drunkenness and profane Swearing, Breach of the Sabbath, Tumults, and many Vices, so much prevail, that it is scarcely in the Power of the Magistrate to suppress them, and preserve Peace or good Order, the said County having no Work-house or Place of Correction for such Offenders, except the Prison, where no Provision being made for their Subsistence, they must either starve, become burthensome to the Community, or be discharged without Punishment; wherefore the Petitioners pray the House to take the Premises into Consideration, and provide, by a Law, that a Work-house, or Place of Correction, may be established in the

said County or grant such other Relief as they shall think the Circumstances of the Petitioners require.

—*Ordered to lie on the Table.*

The Bill, entitled, "*An Act to limit the Continuance of Actions in the Courts of Judicature within this Province,*" being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. Fox and Mr. Rhoads wait on the Governor therewith, for his Assent to the same.

The Committee appointed to prepare and bring in a Bill concerning Horses, Cattle and Sheep trespassing within this Province, reported they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Committee appointed to call upon the Managers of the late Lottery for paving the Streets of the City of *Philadelphia*, reported, they had done the same according to Order, and find, upon Enquiry, that several of the said Managers have already settled and paid to the Street Commissioners the Sums of Money which have respectively come to their Hands, as Managers of the said Lottery; and that the Rest engage to do the same, as soon as conveniently may be.

The House resumed the Consideration of the Supplement to the Act, entitled, "*An Act for establishing Courts of Judicature within this Province,*" which being in Part read the second time, and debated by Paragraphs.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Supplement to the Act, entitled, "*An Act for establishing Courts of Judicature within this Province,*" and after some Time spent therein, adjourned to Ten o'Clock To-morrow Morning.

February 11, 1763.

The Members appointed to wait on the Governor with the Bills for regulating Apprentices, for abating the Fines on Assessors, and for limiting the Continuance of Actions in the Courts of this Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into Consideration, and give them all the Dispatch in his Power.

The Member for the County of *Northampton* laid before the House sundry Accounts and Vouchers, exhibited by the Trustees for erecting a Court-House and Prison at *Easton*; which

being read, by Order, were referred to the Committee of Accounts, with the Addition of Mr. *Moor*, to be examined and settled with the said Trustees, now attending for that Purpose.

The Committee appointed to prepare and bring in a Supplement to the Act, entitled, "*An Act for regulating, pitching, paving and cleansing the Streets, Lanes and Alleys of the City of Philadelphia, &c.*" reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill concerning Horses, Cattle and Sheep trespassing within this Province, which being in Part read the second time, and some Objections arising thereon, the same was re-committed to the Committee that brought it in, with the Addition of Mr. *Galloway* and Mr. *Gibbons*, for Alteration and Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 12, 1763.

A Member for the County of *Cumberland* laid before the House a certified Copy from the Commissioners, of the Assessment of the Provincial Tax in the said County for the Year 1763, together with a Duplicate of their Assessment on the Proprietary Property therein for the same Year, which were read, and ordered to lie on the Table for the Perusal of the Members.

The Committee to which the Bill concerning trespassing Creatures was re-committed for Amendment, reported, they had essayed a new Draught for that Purpose, which being presented to the Chair, and read the first time, was ordered to lie on the Table for a second Reading.

The Committee of Accounts, with the Member for the County of *Northampton*, to whom the Accounts of the Trustees appointed by Law for erecting a Court-House and Prison at *Easton*, in the County aforesaid, were referred for Examination and Settlement, made their Report in Writing, which was read by Order, and follows in these Words, *viz.*

IN Obedience to the Order of the House, we have examined the Accounts of *Thomas Craigh*, *Hugh Wilson*, *John Jones*, *Thomas Armstrong* and *James Martin*, Trustees appointed by an Act of Assembly, entitled, "*An Act for erecting the Northwest Part of Bucks into a separate County*," to erect a Court-House and Prison in the Town of *Easton*, in the said County, and from several Vouchers to us produced, it appears that the

Sum of *Three Hundred Pounds*, in virtue of the aforesaid Act, and other Sums by them received for that Purpose, have been justly expended by the said Trustees, in building the Prison only, and that there is nothing remaining in their Hands towards executing the Remainder of their Trust.

	JOHN FOX,	JOHN MORTON,
	JOHN HUGHES,	ISAAC PEARSON,
<i>February 12, 1763.</i>	SAMUEL RHOADS,	JOHN MOOR."
	JOHN WILKINSON,	

The Committee appointed to prepare and bring in a Bill for preventing Abuses in the *Indian Trade*, &c. reported, they had essayed a Draught for that Purpose, which they presented to the Chair; and the same being read the first time, was ordered to lie on the Table for a second Reading.

Upon Motion,

The Petition from the County of *Lancaster*, for establishing a Work-House, or House of Correction, in the Borough of said County, was again read, and, after some Debate thereon,

Ordered, That Mr. *Hughes*, Mr. *Rhoads*, Mr. *Morton* and Mr. *Webb* be a Committee to prepare and bring in a Bill for the said Purpose.

Then the House adjourned to *Monday* next, at Three o'Clock in the afternoon.

February 14, 1763.

The House met pursuant to Adjournment, and being acquainted by a Member that *Edward Thomas*, of *Bucks County*, was attending without, in order to produce to the House such Attestations as he hath been able to collect in Proof of his late Loss by Fire,

Ordered, That Mr. *Rhoads*, Mr. *Evans*, Mr. *Knight* and Mr. *Morton* be a Committee to receive and examine the Attestations produced by the said *Thomas*, and report thereon to the House.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 15, 1763.

The Committee appointed to examine the Evidence brought by *Edward Thomas*, in Support of his late Loss by Fire, reported, they had done the same according to Order, and presented to the Chair an Affidavit of the said *Thomas*, with the Deposition of *John Foulke*, of *Bucks County*; which being read by Order, and considered, it was resolved, upon the Question, that the Trustees of the General Loan-Office do pay to the said *Thomas* the Sum of *Thirty-three Pounds*, and credit

the public Accounts with the same, as so much burnt and sunk by the Committee of Assembly, in Pursuance of the Laws of this Province.

The House resumed the Consideration of the Bill, entitled, "*An Act concerning Cattle, Horses and Sheep, trespassing within this Province,*" which being in Part read the second time, and debated by Paragraphs, they adjourned to Three o'Clock, *P. M.*

The Governor, by Mr. Secretary, sent down the Bill for regulating Fines imposed on Assessors chosen, or to be chosen, within this Province, and acquainted the House, that he should be ready to pass the same when presented to him for that Purpose: The Governor also returned the Bill, entitled, "*An Act for regulating Apprentices within this Province,*" with some Amendments thereon, which being read by Order, and agreed to by the House, the said Bills were ordered to be engrossed.—Mr. Secretary likewise brought down the Bill for limiting the Continuance of Actions in the Courts of Judicature within this Province, and delivered a Message therewith from the Governor, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

"I HAVE very carefully weighed and considered the Bill, entitled, "*An Act to limit the Continuance of Actions in the Courts of Judicature within this Province*"—I would, with great Pleasure, concur with you in any Laws, which, in my Judgment, had a Tendency to promote the public Good, and the Happiness of the People, but I am fully satisfied that this Bill will by no Means answer those valuable Ends; on the contrary from the Nature of it, in many Cases it may, and some of Necessity must, be subversive of Justice.

"The Judges of every Court have a Power to make Rules for the expediting and bringing to a speedy Determination all Cases depending before them, which are binding, and have the Force of Laws, to all Intents and Purposes, on the Suitors and Gentlemen of the Law in such Courts.

"In the several Courts of Judicature in *England*, the Rules made by the Judges are different, according to their different Circumstances, and are varied from Time to Time, and new Ones made, when, upon Experience, they are found to be defective. If therefore any Inconveniences have arisen in the Courts of this Province, from the too long Continuance of Actions, I cannot but be of Opinion, that it is much safer to leave this Mischief to be redressed by the Courts, who are

entrusted with the Administration of Justice, in whose Hands the Wisdom of our Mother Country hath lodged this Power, and who ought to judge of the Reasonableness of any Motion to put off a Trial, than to lay them under the Necessity of compelling the Parties to a Trial at a certain fixed Time, let the Exigency or Circumstances of the Case be what they may; for which Reasons I cannot assent to this Bill.

February 15, 1763.

JAMES HAMILTON."

The Committee appointed to prepare and bring in a Bill for erecting a Work-house, or House of Correction, in the County of *Lancaster*, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

A Member presented to the Chair a Bill, entituled, "*An Act to enable certain Persons therein named to erect a Court-house at Easton, for the County of Northampton, and for raising Money on the Inhabitants of the said County to defray the Expence thereof,*" which being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 16, 1763.

The Bill, entituled, "*An Act concerning Cattle, Horses and Sheep trespassing within this Province,*" being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Foulke* and Mr. *Knight* wait on the Governor therewith, for his Assent to the same.

The House resumed the Consideration of the Bill to enable certain Persons, therein named, to erect a Court-house at *Easton*, in the County of *Northampton*, and to levy a Tax on the Inhabitants, to defray the Expence thereof; which being in Part read the second time, and debated by Paragraphs, they adjourned to Three o'Clock, P. M.

Mr. Speaker brought in, and delivered to the House, sundry Letters, Accounts, and other Papers, received from *Benjamin Franklin*, Esq; relating to his Disbursements in Behalf of the Public, during his Residence in *Great-Britain*, as Agent for this Province:—Also other Papers and Accounts, for incidental Expences, from *Robert Charles*, Esq; during several Years Continuance of his Agency for this Province, as aforesaid; which Papers were severally read, by Order, and referred to

the Committee of Accounts, to examine and report the State of the said Accounts to the House.

The House again took up the Bill to enable certain Persons, therein named, to erect a Court-house at *Easton*, and to levy a Tax on the Inhabitants, to defray the Expence thereof; which being read through the second time, and debated by Paragraphs, the said Bill was ordered to be transcribed for a third Reading.

Upon Motion,

The House resumed the Consideration of the Bill, entitled, "*An Act for erecting a House of Correction in the County of Lancaster*," which being in Part read the second time, and some Objections arising thereon, the said Bill was re-committed to the Committee that brought it in, for Alteration and Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 17, 1763.

The Members appointed to wait on the Governor, with the Bill, entitled, "*An Act concerning Cattle, Horses and Sheep trespassing within this Province*," reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

The Bill to enable certain Persons, therein named, to erect a Court-house at *Easton*, in the County of *Northampton*, and to levy a Tax on the Inhabitants of the said County, to defray the Expence thereof, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fleeson* and Mr. *Cruson* wait on the Governor therewith, for his Assent to the same.

The House resumed the Consideration of the Bill, entitled, "*An Act to prevent Abuses in the Indian Trade*," &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The Committee to which the Bill for erecting a House of Correction in the County of *Lancaster* was re-committed for Amendments, reported some Alterations thereon, which being the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare and bring in a Bill for regulating the Fisheries in the lower Parts of the River *Schuylkill*, reported they had essayed a Draught for that

Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

The House resumed the Consideration of the Bill, supplementary to the Act, entitled, "*An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys, &c.*" which being in Part read the second time, and debated by Paragraphs, they adjourned to Ten o'Clock To-morrow Morning.

February 18, 1763.

The Committee appointed to wait on the Governor with the Bill to enable certain Persons, therein named, to erect a Court-house at *Easton*, in the County of *Northampton*, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Mr. Speaker brought in, and delivered to the House, an Account from *Thomas Stretch*, of the City of *Philadelphia*, for Repairs to the State-house Clock, and two Years Salary for cleaning and taking Care of the same, amounting to *Thirty-two Pounds Four Shillings*, which was read by Order, and referred to the Committee of Accounts.

The House resumed the Consideration of the Bill, supplementary to the Act, "*for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys,*" &c. which being further read, and debated by Paragraphs, they adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill for erecting a House of Correction for the County of *Lancaster*, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The House again took up the supplementary Bill to the Act, entitled, "*An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys,*" &c. which being in Part read the second time, and further debated by Paragraphs, they adjourned to Ten o'Clock To-morrow Morning.

February 19, 1763.

The Committee appointed to examine the Accounts of *Benjamin Franklin* and *Robert Charles*, Esquires, late Agents for this Province in *Great-Britain*, and report the State thereof to the House, made their Report in Writing, which being presented to the Chair, was read by Order, and follows in these Words, *viz.*

IN Obedience to the Order of the House, we have examined the Account of *Benjamin Franklin*, Esq; with the Vouchers to us produced in Support thereof, and do find the same Account to be just, and that he has expended, in the immediate Service of this Province, the Sum of *Seven Hundred and Fourteen Pounds Ten Shillings and Seven-pence*, out of the Sum of *Fifteen Hundred Pounds* Sterling, to him remitted and paid, exclusive of any Allowance or Charge for his Support and Services for the Province. We have also examined the Account of *Robert Charles*, Esq; against this Province, and find the same is reasonable and just, except a Charge of *Sixty Pounds* for his Share of Commissions on the Money received from the Crown by *Benjamin Franklin*, Esq; which we submit to the Consideration of the House.

	JOSEPH FOX,	JOHN MORTON,
	JOHN HUGHES,	WILLIAM ALLEN,
February 19, 1763.	SAMUEL RHODES,	JOHN ROSS,
	JOHN WILKINSON,	JOHN MOOR."
	ISAAC PEARSON,	

The House taking the foregoing Report of the Committee of Accounts into Consideration, and having spent some Time therein,

Resolved, That the Sum of *Five Hundred Pounds* Sterling *per Annum* be allowed and given to *Benjamin Franklin*, Esq; late Agent for the Province of *Pennsylvania* at the Court of *Great-Britain*, during his Absence of Six Years from his Business and Connections, in the Service of the Public; and that the Thanks of this House be also given to the said Gentleman, by Mr. Speaker, from the Chair, as well for the faithful Discharge of his Duty to this Province in particular, as for the many and important Services done *America* in general, during his Residence in *Great-Britain*.

Resolved, That the Account of *Robert Charles*, Esq; late Agent for this Province, be allowed, and discharged.

The House resumed the Consideration of the Bill supplementary to the Act, entitled, "*An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys*," &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

February 21, 1763.

Mr. Speaker, with Two and Twenty Members met, pursuant

to Adjournment, and a Quorum not appearing, they adjourned to Eleven o'Clock To-morrow Morning.

February 22, 1763.

Mr. Speaker, with the Members present last Night, met again, pursuant to Adjournment, and a Quorum being still wanting, they adjourned to Three o'Clock, P. M.

A Quorum met, pursuant to Adjournment.

The bill, entituled, "*A Supplement to the Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys, &c.*" and the Bill for erecting a House of Correction in the County of Lancaster, being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. Fox and Mr. Rhoads wait on the Governor therewith, for his Assent to the same.

The Governor, by Mr. Secretary, returned the Bill entituled, "*An Act to enable certain Persons, therein named, to erect a Court-house at Easton, in the County of Northampton, and to levy a Tax on the Inhabitants of the said County to defray the Expence thereof,*" and acquainted the House, that he was ready to pass the same, whenever presented to him for that Purpose: The Secretary also brought down the Bill, entituled, "*An Act concerning Horses, Cattle and Sheep, trespassing within this Province,*" with an Amendment thereon, which was read by Order, and being agreed to by the House, the said Bills were ordered to be engrossed.

A Member presented to the Chair a Bill, supplementary to the Act, entituled, "*An Act for opening and better amending and keeping in Repair the public Roads and Highways within this Province,*" which being read the first time, was ordered to lie on the Table for a second Reading.

The Committee appointed to prepare and bring in a Bill for continuing the Act, entituled, "*An Act for regulating Waggoners, Carters, Draymen and Porters, within the City of Philadelphia, and for other Purposes therein mentioned,*" reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 23, 1763.

The Governor, by Mr. Secretary, sent down a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'IN Pursuance of Orders from the Honourable Proprietaries, I moved you, by my Message of the Eighteenth of last Month, to pass a Bill for altering and amending the Act passed in this Province, in the Year one Thousand Seven Hundred and Fifty-nine, for granting *One Hundred Thousand Pounds* to his Majesty &c. so as to make it conformable to the Sentiments of the Lords of the Committee of his late Majesty's most honourable Privy Council, expressed in their Report of the Twenty-eighth of *August*, One Thousand Seven Hundred and Sixty, and to the Stipulations entered into on your Behalf, by your Agents in *England*, both which have been long since laid before you.

'But as no Bill hath yet been offered to me for that Purpose, and you have not been pleased to return any Answer to my Message, I am under the Necessity of mentioning this Matter again, and of desiring that you will, in your present Session, acquaint me with your Resolution, whether you will, or will not, comply with the Engagements entered into by your Agents, by passing, and offering to the Governor of this Province, an Act to amend the afore-mentioned Act, according to the Amendments proposed in the Report of the Committee of Council aforesaid, in order that I may transmit the same to the Proprietaries with all convenient Dispatch.

February 23, 1763.

JAMES HAMILTON."

The House taking the foregoing Message from the Governor into Consideration, and having spent some Time therein,

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Melvin*, Mr. *Ashbridge*, Mr. *Morton* and Mr. *Allen* be a Committee to prepare and bring in a Draught of a Message in Answer to the same.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill, entituled, "*An Act for preventing Abuses in the Indian Trade, &c.*" being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Rhoads* wait on the Governor therewith, for his Assent to the same.

The House then took up the Bill supplementary to the Act, entituled, "*An Act for opening and better amending and keeping in Repair the public Rhoads (sic) and Highways within this Province,*" which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The Members appointed to wait on the Governor with the Bills, supplementary to the Street Act—for preventing Abuses in the *Indian Trade*—and for erecting a House of Correction

in the County of *Lancaster*, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

The House resumed the Consideration of the Bill to continue the Act, entitled, "*An Act for regulating Waggoners, Carters, Draymen and Porters within the City of Philadelphia, and for other Purposes therein mentioned,*" which being read the second time, and debated, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 24, 1763.

The Bill to continue the Act for regulating Waggoners, Carters, Draymen and Porters in the City of *Philadelphia*, &c. and the Supplement to the Act for opening and better amending and keeping in Repair the public Roads and Highways, &c. being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. *Fleeson* and Mr. *Mifflin* do wait on the Governor therewith, for his Assent to the same.

The Committee appointed to prepare and bring in a Bill for removing and preventing Nuisances in and near the City of *Philadelphia*, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time was ordered to lie on the Table for a second Reading.

The House resumed the Consideration of the Bill for amending the Act, entitled, "*An Act for establishing Courts of Judicature within this Province,*" and after some Time spent therein, ordered that the said Bill lie on the Table.

A Member presented to the Chair a Bill for altering and enlarging the Time of holding the Courts of General Quarter Sessions of the Peace and Goal Delivery in the Counties of *Bucks* and *Chester*, which being twice read, by special Order, was directed to be transcribed for a third Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The Bill for altering and enlarging the Time of holding the Courts of General Quarter Sessions of the Peace and Goal Delivery in the Counties of *Bucks* and *Chester*, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fleeson* and Mr. *Mifflin* wait on the Governor therewith, for his Assent to the same.

The Committee appointed to prepare and bring in an Answer to the Governor's Messages of the Eighteenth of *January*, and Twenty-third of this Instant, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read, and agreed to by the House, was ordered to be transcribed.

The House resumed the Consideration of the Bill for regulating Fisheries in the lower Parts of the River *Schuylkill*, which being in Part read the second time, and debated by Paragraphs, they adjourned to Ten o'Clock To-morrow Morning.

February 25, 1763.

The Answer of the House to the Governor's Messages of the Eighteenth of *January*, and Twenty-third of this Instant, being transcribed according to Order, was again read, signed by the Speaker, and follows in these Words, *viz.*

May it please your HONOUR,

WE have taken into our most serious Consideration your Messages of the Eighteenth of *January* last, and the Twenty-third Instant, which we find to be of the same Tenor with your Message of the Twenty-eighth of *January*, 1761, to which the then Assembly returned an Answer, wherein they say, after the strictest Enquiry, it appeared to them, that the Proprietaries had never received the least Injury from the Act for granting *One Hundred Thousand Pounds* to the King's Use, passed in the Year, 1759; and that if it should appear to the House that any Injustice was offered to the Proprietaries, or if the Governor, in Behalf of the Proprietaries, should point out any Injury they might receive in the Execution of the said Act, they did not doubt the Assembly for the Time being would chearfully and readily offer a Bill to the Governor to do them Justice: But as no Injustice has since appeared to us, or been shewn by the Governor to be done the Proprietaries, we are of the same Sentiments with that House, who, on the most careful Enquiry, found, "that there had not been any Injustice done to the Proprietaries, or Attempts made to rate or assess any Part of their Estate higher than the Estates of like Kind, belonging to the Inhabitants, are rated and assessed; but, on the Contrary, that they were, in many Instances, rated below others." And as we find, by the Returns now before us from the several Counties, that no Change has been since made in the Mode of Taxation, we hope we may refer to our former Message

to the Governor on this Head, and more especially, as the Acts by which their Estates are taxed are temporary, and will expire in a few Years, by their own Limitation.

Signed by Order of the House,

February 25, 1763.

ISAAC NORRIS, Speaker."

Ordered, That Mr. *Rhoads* and Mr. *Allen* wait on the Governor, and deliver the foregoing Message.

The House resumed the Consideration of the Bill for preventing and removing certain Nuisances in and near the City of *Philadelphia*, which being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

February 26, 1763.

The Gentlemen appointed to wait on the Governor with the Message of the House in Answer to his Honour's of the Eighteenth of *January*, and Twenty-third Instant, reported, they had delivered the same according to Order.

The Bill, entituled, "*An Act for preventing and removing certain Nuisances in and near the City of Philadelphia*," being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Allen* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

February 28, 1763.

Mr. Speaker, with Eight Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

March 1, 1763.

Mr. Speaker, with Nineteen Members, met, pursuant to Adjournment, and a Quorum, through the Severity of the Weather, being still wanting, the Members present adjourned to Ten o'Clock To-morrow Morning.

March 2, 1763.

A Quorum met, pursuant to the Adjournment of last Night.

The Governor, by Mr. Secretary, returned the Bills for amending the Road Act—for altering and extending the Times of holding Courts of General Sessions and Goal Delivery in the Counties of *Chester* and *Bucks*—for continuing the Act for regulating Waggoners, Carters, Draymen and Porters—

and for erecting a House of Correction in the Borough of *Lancaster*, and acquainted the House, that he should be ready to pass the same into Laws, when presented to him for that Purpose.

Ordered, That the said Bills be immediately engrossed.

Mr. Secretary also brought down the Bill supplementary to the Street Act, and the Bill to remove and prevent certain Nuisances in and near the City of *Philadelphia*, with some Amendments to each, which being severally read, and agreed to by the House, the said Bills were ordered to be engrossed accordingly.

With the foregoing his Honour likewise returned the Bill, entitled, "*An Act for preventing Abuses in the Indian Trade*," &c. with a Paper of Amendments, and a written Message thereon, to the House, which were severally read by Order, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'ON considering the Bill, entitled, "*An Act for preventing Abuses in the Indian Trade*," &c. I am necessarily led to remind you, that by his late Majesty's Order in Council, of the Second of *September*, 1760, an Act of Assembly of this Province, passed in the Year 1759, for granting to his Majesty the Sum of *One Hundred Thousand Pounds*, was adjudged to be fundamentally wrong and unjust, in many Instances, respecting the Taxation of the Proprietaries Estates; and that the Engagements entered into by your Agents in *England*, and signed by them in the Books of the Council (by which they undertook, that the Assembly would prepare and pass, and offer to the Governor of this Province, an Act to amend the afore-mentioned Act, according to the Amendments proposed in the Report of the Lords of the Council aforesaid) was the principal Motive and Inducement which prevailed on his Majesty to suffer that Act to stand unrepealed at that Time.

'And although a former Assembly, before whom the said Order of Council was laid, did not incline to carry that Engagement into Execution, and yourselves, in your present Session, notwithstanding my Recommendation, have also declined to comply with it; yet, after so full and explicit a Declaration from the Crown, I say I little expected to find, that in any future Bill, for the raising of Money, you would have inserted a Clause that prescribes the very same Mode of Taxation which his Majesty in Council had pronounced to be fundamentally wrong and unjust, as it appears you have done, by the Bill now under Consideration.

'I am very sensible, Gentlemen, that a Law for regulating the *Indian* Trade, and to prevent those People from being ill used or defrauded, in their Commerce with us, may be very conducive to his Majesty's Interest, and the Welfare of the Province; and therefore I am very well disposed to concur with you in enacting one for that Purpose, provided it be so framed, that I can, consistent with my Duty, give my Assent to it: But at the same Time I think it incumbent on me to acquaint you, that in respect to Points of this Nature, the Judgment of the King and Council has, and I trust ever will have, such Weight and Influence with me, as to prevent my acting in direct Opposition to it.

'I flatter myself that, on Reflection, you will be of Opinion, that I could not be justified in departing from the Rule of Taxation, which, after mature Deliberation, has received the Approbation and Sanction of so wise and august a Body as that of the Council Board; and that you will either alter the Bill herewith sent down, so as to make it conformable to the above-mentioned Order of Council, or consider of some other less exceptionable Means to secure the Money which the Commissioners for the *Indian* Trade may have Occasion to borrow: And that no Time may be lost, I have ordered the Secretary to lay before you some Amendments, which appear to me necessary to be made in the other Parts of the Bill.

February 28, 1783.

JAMES HAMILTON."

The House took the foregoing Message into Consideration, together with the Governor's Amendments on the Bill for preventing Abuses in the *Indian* Trade, and after some Time spent therein, adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message, sent down with the Bill for preventing Abuses in the *Indian* Trade, and after some Debate thereon,

Ordered, That Mr. *Galloway*, Mr. *Rhoads*, Mr. *Smith*, Mr. *Ashbridge*, Mr. *Webb*, Mr. *Allen* and Mr. *Ross* be a Committee to confer with the Governor on such Parts of the Bill for preventing Abuses in the *Indian* Trade, as his Honour hath objected to, by the Amendments sent down therewith, and report the Result to the House.

Ordered, That the said Gentlemen do also acquaint the Governor, that the several Bills to which he hath given his Assent, being engrossed, the House request he would be pleased to appoint some Gentlemen of the Council to join with the Members of the House in comparing the said Bills with their Originals.

The House resumed the Consideration of the Bill for regu-

lating Fisheries in the lower Parts of the River *Schuylkill*, and after a considerable Debate thereon, some Objections arising to the said Bill, the same was recommitted to the Committee that brought it in, for Amendment.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 3, 1763.

The Committee appointed to confer with the Governor on the Bill, entitled, "*An Act for preventing Abuses in the Indian Trade*," &c. reported, they had waited on him for that Purpose, and after a free Conversation on the Reasonableness and Equity of the said Bill, as framed and offered by the House, find his Honour fixed in the Opinion, that he cannot, consistent with his Duty to the Crown, recede from his Amendments thereon; and that he was pleased to acquaint them, he would nominate some Gentlemen of the Council to join the Members of the House in comparing the engrossed Bills with their Originals, at Three o'Clock this Afternoon.

Ordered, That Mr. *Rhoads* and Mr. *Ross* do meet the Members of Council, to collate the said engrossed Bills.

The House then resumed the Consideration of the Governor's Amendments on the Bill for preventing Abuses in the *Indian Trade*, &c. and after some Debate thereon, the Question being put, Whether the House will agree to the said Amendments? the same was unanimously resolved in the Negative.

Then the House adjourned to Four o'Clock, *P. M.*

The Committee to which the Bill for regulating Fisheries, on the lower Parts of the River *Schuylkill*, was recommitted for Amendment, reported some Alterations thereon, which being read, were referred to the Consideration of the House at their next Meeting.

Ordered, That Mr. *Mifflin* and Mr. *Morton* wait on the Governor, and acquaint him the House incline to adjourn to *Monday*, the Twelfth of *September* next, if he has no Objection thereto, and request to know when his Honour will be pleased to meet the House, in order to enact into Laws the several Bills to which he has given his Assent during the present Sitting.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 4, 1763.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say,

he would be in the Council Chamber at Twelve o'Clock Tomorrow, to enact into Laws the several Bills returned with his Concurrence; and had no Objection to the Time of Adjournment proposed by the House.

The Committee of Accounts laid before the House a State of the Account of *Benjamin Franklin*, Esq; with the Province, for Expences and Services during his late Agency in *Great-Britain*; and a Balance of *Two Thousand Two Hundred and Fourteen Pounds Ten Shillings and Seven-pence Sterling* appearing due thereon to that Gentleman, a Certificate was drawn for the said Balance, and signed by Mr. Speaker, by Order of the House.

Two other Certificates were also drawn at the same Time, and signed by Order of the House, in Discharge of the Account of *Robert Charles*, Esq; late Agent for the Province; one of the said Certificates in his own Name, for the Sum of *Four Hundred and Twenty-one Pounds Sixteen Shillings and Eight-pence Sterling*; the other to *Isaac Norris*, Esq; for *Fifty Pounds Fourteen Shillings and Four-pence Sterling*, of *Eighty-seven Pounds Nine Shillings and Three-pence Currency*, at *Seventy-two and an Half per Centum*, in full of that Sum paid by Mr. Norris to the said Agent, in Behalf of the Province, in 1759, and credited in his said Account with the Province.

A Petition from the Friendly Association, for regaining and preserving Peace with the *Indians*, by pacific Measures, was presented to the House, read by Order, and follows in these Words, *viz.*

To the REPRESENTATIVES of the FREEMEN of the Province of
Pennsylvania, in GENERAL ASSEMBLY met,
The Petition of the Trustees and Treasurer of the FRIENDLY
ASSOCIATION, *for regaining and preserving Peace*
with the Indians, by pacific Measures,
respectfully sheweth,

THAT your Petitioners are fully assured, that the establishing the Trade with the *Indians* on the Frontiers of this Province, in Pursuance of the Law passed about five Years since, hath tended much to the conciliating their Friendship; and that they are so sensible of the Advantages they receive, by being supplied with such Goods as they want, by Persons who treat them with Justice and Equity, that they will be generally dissatisfied if that Trade is not continued, agreeable to the repeated Promises made them on Behalf of this Government, at several of the late Conferences.

We have therefore, with much Concern, heard that the

Continuance of that Law, which is now near expiring, cannot be obtained on such Terms as you have judged most consistent with the public Interest: And as we are apprehensive that the Peace and Prosperity of the Province will be essentially affected and endangered, if the Trade should be suffered to drop, which is now happily established, through much greater Difficulty and Expence than there is a Prospect of its being subject to hereafter; we therefore earnestly request you to resume the Consideration of this important Business, and by proposing some other Fund or Funds for supplying of Money than have heretofore been proposed, or by such other Means as you may judge expedient, to provide for the Continuance of the Trade.

The Advantages arising from a free Intercourse with the *Indians*, and employing Men of Probity and Conscience to trade with them, are many; but if, as soon as they are reduced to the Necessity of depending on us for a Supply of Necessaries for their present Way of Life, we should neglect to manifest our real Concern to have them treated with Justice, we cannot reasonably expect they will be easily convinced of the Excellency of the *Christian* Religion, nor continue their Alliance with us on those Principles of Friendship which were happily founded between their ancestors and ours, and maintained, without Interruption, for a long Course of Years; and many favourable Opportunities of obtaining the Releasement of our Fellow Subjects, yet remaining in Captivity among them, will be lost.

Signed in Behalf of said Trustees and Treasurer, by

ABEL JAMES, *Clerk.*"

The House taking into Consideration the foregoing Petition, and being sincerely desirous to obtain, on any Terms equitable and consistent with the Interest of the Public, so important and necessary a Bill as that lately offered to the Governor for continuing a fair Trade with the *Indians*,

Resolved, That for this good End, so essential to the future Peace and Security of the Province, the House do revoke their intended Adjournment to the Twelfth of *September* next, and agree to meet again on *Monday*, the Twenty-eighth of this Instant; of which Mr. Speaker is desired to acquaint the Governor, when the House shall attend him, to pass into Laws the several Bills returned with his Concurrence.

The Gentlemen appointed to join with the Members of Council in comparing the engrossed Bills with their Originals, reported, they had done the same according to Order, and found them to agree.

A Message by the Secretary :

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Gentlemen of Assembly, in the Council Chamber, to enact into Laws the several Bills to which he hath given his Assent."

Ordered, That Mr. *Rhoads* and Mr. *Ross* do see the Great Seal affixed to the said Bills, after they are passed into Laws, and deposite the same in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that they had waited on his Honour, and presented fifteen Bills, respectively entituled as follows, *viz.* "*A Supplement to the Act, entituled, "An Act for regulating, pitching, paving and cleansing the Highways, Streets, Lanes and Alleys, and for regulating, making and amending the Water Courses and common Sewers within the inhabited and settled Parts of the City of Philadelphia, and for raising of Money to defray the Expence thereof."*—"An Act directing the Choice of Inspectors, and for holding the General Elections in the Counties of Lancaster, York, Cumberland, Berks and Northampton."—"An Act for the Relief of Persons whose Apprentices or Servants have enlisted in the late King's, or his present Majesty's, Service."—"A Supplement to an Act, entituled, "An Act to enable the Owners and Possessors of a certain Tract of Marsh and Meadow Land, therein described, situate in the Counties of Philadelphia and Chester, to keep the Banks, Dams, Sluices and Floodgates in Repair, and to raise a Fund to defray the Expence thereof."—"An Act the better to enable the Persons therein named to hold Lands, and to invest them with the Privileges of natural born Subjects of this Province."—"An Act for enlarging and extending the Southern District of Darby Marsh or Meadow Ground."—"An Act for the Regulation of Apprentices within this Province."—"A Supplement to the Act, entituled, "An Act for opening and better amending and keeping in Repair the public Roads and Highways within this Province."—"An Act for regulating the Fines imposed on the Assessors chosen, or to be chosen, within this Province."—"An Act concerning Horses, Cattle and Sheep, trespassing within this Province."—"An Act to enable certain Persons, therein named, to erect a Court-house at Easton, in the County of Northampton, and to levy a Tax on the Inhabitants of the said County, to defray the Expence thereof."—"An Act to continue an Act, entituled, "An Act for regulating Waggoners, Carters, Draymen and Porters within the City of Philadel-

phia, and for other Purposes therein mentioned."—"An Act for erecting a House of Correction in the County of Lancaster."—"An Act to prevent and remove certain Nuisances in and near the City of Philadelphia."—"An Act for altering and enlarging the Time of holding the Courts of General Quarter Sessions of the Peace and Goal Delivery in the County of Bucks, and for enlarging the Time of holding the Courts of General Quarter Sessions of the Peace and Goal Delivery in the County of Chester."—To which several Bills the Governor had been pleased to give his Assent by enacting the same into Laws; and that he (the Speaker) had acquainted his Honour, the House had altered their Adjournment to *Monday*, the Twenty-eighth of this Month; to which the Governor was pleased to say, he had no Objection.

The House then adjourned accordingly to *Monday*, the Twenty-eighth Instant.

March 28, 1763.

MR. Speaker, with One and Twenty Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

March 29, 1763.

A Quorum met, pursuant to the Adjournment of last Night.

A Petition from divers Inhabitants of the City of *Philadelphia* was presented to the House and read, setting forth, that the Prevalence of Vice and Immorality in the said City, and the Province of *Pennsylvania*, is a Subject of sorrowful Observation to the sober and considerate Part of the Community of all religious Denominations, who have long wished to see some effectual Remedy applied by Law to prevent the Increase and diminish the Number of Taverns, Dram Shops and Tippling Houses, abounding beyond a Necessity for them, many of which are mere Nurseries of Idleness, Extravagance and Debauchery—That the easy Terms upon which Licenses are procured, have encouraged Persons, inclined to Indolence, to solicit and obtain them, though qualified to get their Livelihood in a more commendable Way—That, added to this Evil, there are others who, in Defiance of the Laws, retail spirituous Liquors without License, and keep Houses for Entertainment, where the Youth and others are enticed to spend their Time in Drinking, Gaming, and various Excesses, tending to promote their utter Ruin, to the manifest Injury of their Masters, and the great Affliction of their Parents and Friends.

That the Petitioners therefore request the House would be

pleased to make such Addition to the Laws now in Force, for regulating Taverns and Houses for retailing spirituous Liquors, as may be a sufficient Discouragement to their entertaining Youth under Age, Apprentices and Servants; and particularly, that a severe Penalty may be inflicted on such who (availing themselves of the Inefficacy of the present Laws) presume to keep such Houses without License; as likewise to increase the Penalty on such who, under Sanction of their Licenses, keep their Houses open for Entertainment on the First Day of the Week, in direct Violation of the Laws, and to the Reproach of the *Christian* Religion.

Ordered to lie on the Table.

A Petition from a Majority of the Freeholders of the Borough of *Lancaster*, and of the Freeholders residing on and near *Conestogoe* Creek, in the County aforesaid, was presented to the House and read, setting forth, that the said Creek hath its Course through the Body of said County; and that were it not for three Mill Dams, *to wit*, that of *Michael Carber*, *Sebastian Graff*, and of *Hans Christy*, crossing the said Creek, it would be navigable for Flats, and other small Craft, from a large Branch thereof, called *Cocolico*, to the Place where it empties itself into the River *Susquehanna*, being the Distance, on its several Courses, of about Thirty Miles; and in Width, at a Medium, about Two Hundred and Fifty Feet, and hath no Flats or Shoals, in all that Distance, to obstruct such Kind of Navigation, except at certain Seasons of the Year, when the Springs are at the lowest.

That by Reason of the said several Mill Dams, and some other smaller Obstructions, such as Fish Baskets, &c. the Petitioners are deprived of many material Advantages, that they would otherwise enjoy.

That the Price of Cord Wood in the Borough of *Lancaster* (owing to the Length of Land Carriage) is at this Time *Ten Shillings* for Oak, and *Fifteen Shillings* for Hickory *per* Cord, the Price whereof daily increases as the Lands in its Neighbourhood are cleared; and that, were it not for the aforesaid Obstructions, the Petitioners are well assured, that the Proprietors of large Tracts of Wood Land, on and near the said Creek, at the Distance of Fourteen or Fifteen Miles to the North-Eastward of the said Borough, could afford to deliver it on a good Landing, not more than one Mile from the Centre thereof, at near Half that Price:—This, with many other Advantages, such as the Conveniency of floating down Rafts of Boards, Timber, and other Materials for Building, would be of very considerable Benefit to the Public, as well

as to the Petitioners, especially to great Numbers of industrious Poor, living in and near the Borough aforesaid.

That before the erecting of the above-mentioned several Mill Dams across the said Creek, it produced in Season Fish in great Plenty, especially Shad, Rock and Salmon; which Plenty would be again restored, were the said Dams and Fish Baskets removed; and as there is not less than ten good Grist Mills (exclusive of the above) within five Miles of the said Borough, the Petitioners apprehend that the Removal of said three Dams cannot be any Way prejudicial to the Public.

That many of the Petitioners, living in the Neighbourhood of these Dams, sustain considerable Damage, as well by the Overflowing of their Meadow Grounds (especially in Time of great Freshes, which happen almost every Year) as from the Air being thereby rendered very unhealthy in the Summer Season: Wherefore the Petitioners pray the Assent of the House may be given for passing an Act for their Relief in the Premises.

Ordered to lie on the Table.

A Petition from divers Freemen of the County of *Berks*, in Behalf of themselves and others, Freemen of said County, was presented to the House and read, setting forth, that by the Charter of Privileges granted by the late worthy Proprietor to the Freemen of this Province, for the well governing the same, it is directed that an Assembly should yearly be chosen by the Freemen thereof, to consist of four Persons out of each County, or of a greater Number at any Time, as the Governor and Assembly should agree—That at the Time of granting the same Charter, there were but three Counties established within this Province, since which, by the Assent and Agreement of the late Governor and Assembly, the Number of Members for each of the said Counties hath been increased to eight Persons.

That by the Law for erecting this Part of the Province into a separate County, it is provided and enacted, that until it shall be otherwise ordered by the Governor and Assembly of this Province, the Freemen of this County shall elect only one Representative or Delegate to serve them in Assembly; since making which Law the said County has very much increased in large well cultivated Farms, and in the Number of its Inhabitants, by whom very great Taxes, and other Duties to the Government, are regularly paid and performed, and near the Centre of the said County there is a large flourishing and increasing Town, settled by an industrious

thriving People, who carry on a great Trade with the adjacent Country, and with the City of *Philadelphia*;—so that the Inhabitants of the County of *Berks* most humbly presume, that they ought to be as fully represented as the Inhabitants of other Counties in the General Assembly for making Laws, by which their Persons and Interests are equally affected, and therefore pray the House would be pleased to take the Premises into Consideration, and grant to the Freemen of the said County Liberty of chusing such greater Number of Persons to represent them in Assembly for the future, as is agreeable to Justice, the Spirit of the Charter, and the Law that first erected that Part of the Province into a County.

Referred to further Consideration.

A Petition from *Isaac Stille*, one of the Chiefs of the *Delaware Indians*, was presented to the House and read, setting forth, that having for several Years past, during the late *Indian War*, been employed by the Government as an Interpreter and Messenger in and to different Parts of the Enemy's Country, which Offices he hath discharged with the Zeal and Integrity of a true Friend to the Province; the Petitioner prays that, over and above the Rewards already received for his Services, the House, in Consideration of his having no Place of Abode, would further indulge him with the Grant of One Hundred Acres of Land, within the inhabited Parts of the Province, as a Residence for himself and Family.

Ordered to lie on the Table.

Upon Motion,

The Petition from divers Inhabitants of the City of *Philadelphia*, for a Law to regulate and lessen the Number of Taverns, Dram Shops and Tippling Houses, was again read, and, after some Debate thereon,

Ordered, That Mr. *Galloway*, Mr. *Rhoads*, Mr. *Brown*, Mr. *Ashbridge*, Mr. *Webb*, Mr. *Allen* and Mr. *Ross* be a Committee to prepare and bring in a Bill for the Purpose aforesaid.

The House resumed the Consideration of the Petition from the Trustees and Treasurer of the Friendly Association, presented at the last Sitting of Assembly, praying a Continuance of the Law near expiring, entituled, "*An Act for preventing Abuses in the Indian Trade*," &c. and, after some Time spent therein,

Ordered, That Mr. *Fox*, Mr. *Franklin*, Mr. *Smith*, Mr. *Ashbridge*, Mr. *Webb*, Mr. *Allen* and Mr. *Ross* be a Committee to prepare and bring in a Bill for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 30, 1763.

The Committee appointed to prepare and bring in a Bill for preventing Abuses in the *Indian Trade*, &c. reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Committee appointed to prepare and bring in a Bill for regulating Taverns, Alehouses, Dram Shops, &c. reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill, entituled, "*An Act for preventing Abuses in the Indian Trade*," &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

March 31, 1763.

The Bill, entituled, "*An Act for preventing Abuses in the Indian Trade*," &c. being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Fox* and Mr. *Rhoads* wait on the Governor therewith, for his Assent to the same.

A Remonstrance from divers Inhabitants of the Borough of *Lancaster*, and a Number of Freeholders on and near *Conestogoe* Creek, in the County of *Lancaster*, was presented to the House and read, setting forth the Impracticability of rendering the said Creek navigable for Boats or small Craft of any Burden from Shoals, Falls, and other natural Obstructions in many Parts thereof, and the Inexpediency of removing certain Mill Dams erected across the said Creek, in order to render the same of greater Utility to the Public, for the Purposes of supplying the said Borough with Fish, Fire Wood, and Materials for building, as represented by a late Petition to the House from a Number of the Inhabitants of said Borough and County, and praying that the said Petition may be rejected.

The House taking into Consideration the foregoing Remonstrance in Support of the said Mill Dams, together with the Petition lately presented for Removal of the same as injurious to the Public, and having spent some Time therein,

Ordered, That it be recommended to such of the Members for the said County of *Lancaster* as reside nearest to the

Creek, to enquire into the real Circumstances thereof, together with the Situation and public Utility of the Mill Dams thereon erected, and report the same to the House at their next Sitting; and that the Parties petitioning for and against the said Dams have Notice to give their Attendance on the first Day of the next Meeting of Assembly, in order to a further Enquiry into the Truth of their respective Allegations concerning the same.

Pursuant to a Resolve of the Nineteenth of last Month, that the Thanks of this House be given to *Benjamin Franklin*, Esq; for his many Services not only to the Province of *Pennsylvania*, but to *America* in general, during his late Agency at the Court of *Great-Britain*, the same were this Day accordingly given in Form from the Chair—To which Mr. *Franklin*, respectfully addressing himself to the Speaker, made Answer, "That he was thankful to the House for the very handsome and generous Allowance they had been pleased to make him for his Services; but that the Approbation of this House was, in his Estimation, far above every other Kind of Recompence."

The House resumed the Consideration of the Bill, entitled, "*An Act for better regulating Inns, Taverns, and Public Houses of Entertainment*," &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The Members appointed to wait on the Governor with the Bill for preventing Abuses in the *Indian Trade*, &c. reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Then the House adjourned to Five o'Clock, *P. M.*

The Bill for better regulating Inns, Taverns, and Public Houses of Entertainment, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. *Fleeson* and Mr. *Ashbridge* wait on the Governor therewith, for his Assent to the same.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

April 1, 1763.

The Members appointed to wait on the Governor, with the Bill, entitled, "*An Act for better regulating Inns, Taverns, and Public Houses of Entertainment*," &c. reported, they had delivered the same according to Order; and that his Honour

was pleased to say, he would take the said Bill into immediate Consideration, and give it all the Dispatch in his Power.

Pursuant to Act of Assembly, the Treasurer laid before the House Lists of all the licensed public Houses within the several Counties of this Province, certified by the Secretary, as the said Act requires; which Lists were ordered to lie on the Table for the perusal of the Members.

Then the House adjourned to Five o'Clock, *P. M.*

The House met, and adjourned to Ten o'Clock To-morrow Morning.

April 2, 1763.

The Governor, by Mr. Secretary, sent down the Bill, entitled, "*An Act for preventing Abuses in the Indian Trade,*" &c. with an Amendment thereon; which being read, and agreed to by the House, the said Bill was altered accordingly.

The Secretary also returned the Bill for better regulating Inns, Taverns, and Public Houses of Entertainment, &c. with a written Message to the House, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

BEING well assured that the Laws relative to the Keeping of Public Houses within this Province, are fully sufficient to answer the Purposes of preserving good Order and Regularity in them; and that were the Justices made acquainted, from Time to Time with any Transgression of the said Laws, they would readily use their Authority to enforce the Execution of them, and punish the Offenders; I cannot think the Provisions in the Bill, entitled, "*An Act for the better regulating Inns, Taverns,*" &c. sent up for my Concurrence, to be at all necessary, and therefore cannot give my Assent to the said Bill.

April 2, 1763

JAMES HAMILTON."

The House taking the foregoing Message into Consideration, and having spent some Time therein,

Ordered, That Mr. *Galloway*, Mr. *Franklin*, Mr. *Chapman*, Mr. *Ashbridge*, Mr. *Douglas* and Mr. *Allen* be a Committee to prepare and bring in an Answer to the said Message; together with a Draught of a new Bill for better regulating Inns, Taverns, and Public Houses of Entertainment within this Province.

Upon Motion,

The Petition of *Isaac Stille* was again read, and after some Debate thereon.

Ordered, That Mr. *Foulke* and Mr. *Melvin*, in Conjunction with Mr. *Moor*, of the County of *Northampton*, do look at a

small Tract of Land, lying in the said County, on the River *Delaware*, near *Easton*, belonging to *William Allen*, Esq; consider its Value, and report the same to the House at their next Meeting, in order that the said Land may be purchased by the Province for the Use of the said *Stille* and his Family, pursuant to the Prayer of his late Petition to this House for that Purpose.

Ordered, That Mr. *Pearson* and Mr. *Douglass* wait on the Governor, and acquaint him, that the House having agreed to his Amendment to the Bill for preventing Abuses in the *Indian Trade*, &c. desire to know whether it will be convenient to his Honour to pass the said Bill this Afternoon, as the House incline to adjourn in the Evening to the Twelfth of *September* next, if he has no Objection thereto.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be at the Council Chamber between Three and Four o'Clock this Afternoon, in order to pass the Bill for preventing Abuses in the *Indian Trade*, &c. and had no Objection to the Term of Adjournment proposed by the House.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Gentlemen of Assembly, in the Council Chamber, to enact the Bill to which he hath given his Assent, into a Law."

Ordered, That Mr. *Fox* and Mr. *Rhoads* do see the Great Seal affixed to the said Bill, after it shall be enacted into a Law, and deposite the same in the Rolls Office.

Then Mr. Speaker, and the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor, and presented the Bill, entituled, "*An Act for preventing Abuses in the Indian Trade, and for securing and strengthening the Peace and Friendship lately concluded with the Indians inhabiting the Northern and Western Frontiers of this Province*;"—to which Bill his Honour had been pleased to give his Assent, by enacting the same into a Law.

The House then taking into Consideration, that no Person hath been appointed, since the Return of Mr. *Franklin*, to superintend the Concerns of this Province at the Court of *Great-Britain*,

Resolved, That *Richard Jackson*, Esq; of the Inner Temple, be, and he is hereby appointed, Agent for the Province of *Pennsylvania*, to solicit and transact the Affairs thereof at the Court of *Great-Britain* for the ensuing Year; and that the said Gentleman be allowed for his Services as aforesaid the Sum of *Two Hundred Pounds Sterling per Annum*.

Ordered, That Copies of the foregoing Resolve, under the Great Seal of the Province, be transmitted by the Committee of Correspondence to the said Agent by the first Opportunities for *London*, and that *Mr. Franklin* be added to the said Committee for the ensuing Year.

Then the House adjourned to *Monday*, the Twelfth of *September* next, at Four o'Clock in the Afternoon.

July 4, 1763.

THE Representatives of the Province having been, by Virtue of the Governor's Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, a Quorum thereof met accordingly.

Ordered, That *Mr. Rhoads* and *Mr. Ross* wait on the Governor, and acquaint him, that the House being met, pursuant to his Summons, are ready to proceed on any Business he may be pleased to lay before them; and request a Copy of the Writ by which they have been convened.

Then the House adjourned to Ten o'Clock To-morrow Morning.

July 5, 1763.

The Members appointed to wait on the Governor with the Message of last Night, reported they had delivered the same according to Order; and that his Honour was pleased to say, he should send a Message to the House this Morning, and would order a Copy of his Writ, by which they were called together, to be laid before them.

His Honour, by *Mr. Secretary*, sent down a Copy of the said Writ, with a Message to the House in Writing, some Letters from his Excellency *Sir Jeffery Amherst*, and others, containing such Intelligence as he had hitherto received, concerning the late Incursions and Depredations committed on the Frontiers by the *Indians*; which Papers were severally read by Order, and the Letters from the General, with the Governor's Message to the House, follow in these Words, *viz.*

GENTLEMEN,

'BEING sensible how very inconvenient your Attendance in Assembly, at this Season, must be to your private Affairs, nothing less than the most urgent Necessity, and an immediate

Want of your Assistance for the public Safety, could have induced me to call you together before the Time to which you stood adjourned.

'At a Time when, by the happy Success of his Majesty's Arms, and the Wisdom of his Councils, a Peace, equally glorious to his Crown, and beneficial to his Subjects in all Quarters of the World, hath been lately concluded; and while we were filled with the pleasing Hopes of reaping the just Fruits of the excessive Labour and Expence, which have been bestowed in effecting that great and salutary Work; it gives me the utmost Concern to be obliged to acquaint you, that our Toils are not yet come to an End, but that fresh Troubles have arisen, from a Quarter whence we had little Reason to expect them, and which, if not timely repelled, or otherwise composed, may again deluge this Country with Blood and Rapine.

'It is now about a Month since we were alarmed by Accounts from the Commanding Officer a Fort *Pitt*, that Murders and other Hostilities had been committed by *Indians* (but of what Tribe or Nation was not known) on many of his Majesty's Subjects in those Parts; some of them almost within Sight of the Fort, and that they had even been hardy enough to assault his Majesty's Posts of *Sandusky* and *Detroit*, in the former of which they had succeeded, and put great Part of the Garrison to the Sword, but had happily failed with respect to the other; all which Accounts have been since confirmed.

'Immediately on Receipt of these Advices, I thought it incumbent on me to provide for the Security of the important Garrison of *Augusta*, by reinforcing it with a considerable Number of Men, and putting the Frontiers into as good a State of Defence as the Shortness of the Time would allow—both which Services, with the Concurrence of the Provincial Commissioners, have, in a good Measure, been accomplished out of the Remainder of the last Supply granted to his Majesty, then undisposed of; and I am in Hopes that it is at present in a Condition to withstand any Attack that may be made upon it by *Indians*.

'As, after the first Blow that was struck, no further Depredations were, for some Time, heard of, I was in Hopes it was rather the Effect of private Resentment, than of a general Combination of the *Indians* to make War upon these Colonies; but the cruel Murders that have since been committed, not only upon our Traders, but upon several new settled Families, far within the purchased Parts of the Province, without the least Provocation from the unhappy Sufferers, too plainly

evinced these Hostilities to be the Effect of some concerted Plan, which, whether so extensive or not, as was at first apprehended, has nevertheless been attended with all the bad Effects that could have resulted from a general Combination, the Loss of Lives only excepted; inasmuch as from a Dread of being cruelly butchered, the miserable People, throughout almost the whole Frontiers of the Province, have been induced to desert their Settlements with the utmost Precipitation, together with all their worldly Substance, and to take Refuge in the interior Parts, where it cannot but be extremely burdensome to the Inhabitants to support them.

‘Under these Circumstances, repeated Applications have been made to me for Succour, on Behalf of those who are now become the Frontier Inhabitants, in order to enable them to make a Stand, and repel the Enemy, in Case they should be attacked, as well as to cover the Reapers in the Time of their approaching Harvest, by Means whereof they are in Hopes of being able to secure a considerable Part of the Crop now in the Ground, which is absolutely necessary for the Subsistence of the Country—But as it is not in my Power to afford them an effectual Aid, without the Assistance of your House; I have called you together, to give you an Opportunity of consulting and providing for the public Good and Safety, and do most earnestly press you, that you will, with as little Loss of Time as possible, enable me to raise a Body of Men for the Purposes aforesaid, as well as do every other Thing that may be thought necessary for the Protection of the Country at this dangerous and critical Juncture.

‘His Excellency Sir *Jeffery Amherst*, Commander in Chief of his Majesty’s Forces in *North-America*, hath done, and is now doing every Thing in his Power for securing the important Posts to the Westward, and to that End hath sent thither as considerable a Body of regular Troops as the present weak State of the Army under his Command will admit of: But as the full Protection of so extensive a Frontier will require a much greater Number of Men than he can possibly spare, you will see by his Letter of the Twenty-fifth of *June*, which I now lay before you, what it is he expects we will do for our own Defence. And as every Particular therein requested appears to me extremely reasonable, and even absolutely necessary, I beg Leave to recommend the Contents to your immediate Consideration and Compliance: And in particular, that you will forthwith pass a Bill for compelling the Inhabitants to furnish Carriages, &c. for his Majesty’s Service; as, without such an Authority, it will be difficult, if not impracticable, to

transport such Quantities of Provisions and Stores as may be necessary for the Subsistence and Preservation of the King's Garrisons.

'I have only to repeat my Request, Gentlemen, that whatever you shall think proper to do upon this Occasion, may receive all the Dispatch the Nature of the Thing is capable of; as I am apprehensive that, without some speedy Encouragement on the Part of the Legislature, the Frontier Settlements will be entirely abandoned, and left a Prey to the Enemy.

July 4, 1763.

JAMES HAMILTON."

His EXCELLENCY SIR JEFFERY AMHERST's Letter.

SIR,

New-York, June 12, 1763.

ON the Intelligence received from Colonel *Bouquet*, of the bad Intentions of the *Indians*, I have thought it necessary to send two Companies, under the Command of Major *Campbell*, towards *Philadelphia*, that the Colonel may employ them as he may judge best on the Communication: It is particularly inconvenient at this Time, when I am in hourly Expectation of receiving Directions from Home for the general Arrangement of the Troops in this Country, but I could not hesitate a Moment in sending what Assistance I can spare, when the Inhabitants seem to be in Danger from the Attempts of the Savages.

Colonel *Bouquet* acquaints me, that you intended to apply to your Council for some Men to send to the Support of the Garrison of Fort *Augusta*, and I flatter myself your Application will be attended with Success.—Surely if the Province have the least Regard for their Fellow Subjects, they will cheerfully lend their Assistance at a Time when there appears real Danger from a Set of Savages, who shew no Mercy in their Depredations. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST."

His EXCELLENCY SIR JEFFERY AMHERST's second Letter.

SIR,

New-York, June 25, 1763.

AS it now appears, from the Intelligence received from all Quarters, that the *Indians* seem determined to push their Depredations, owing, I suppose, to some Advantages they have gained over straggling Parties of Traders, and a false Hope of the *Detroit*, and the upper Posts being cut off, I think it my indispensable Duty once more to renew my Instances with you to lose no Time in calling your Assembly, and pressing them to enable you to raise, with the utmost Dispatch, a Body of

Men, to be employed in the Defence and Protection of the Frontiers.

Captain *Ourry* writes me, that there are many of the Inhabitants near *Bedford* who are ready to enter into the Provincial Service.—Should you be enabled to issue Commissions, which I hope you will be, no Time should be lost in sending proper Orders for recruiting those Men, as well as for forwarding any others that may enlist, as fast as raised, to the Communication above.

I find Mr. *Croghan* has very judiciously engaged Twenty-five Men to garrison Fort *Littleton*, and I make no Doubt but the Province will readily defray the Expence of those Men, so long as it may be judged necessary to continue them.

There is one Thing more which I have to lay before you; I mean the Necessity of procuring a Law to compel the Inhabitants to furnish Carriages, as Colonel *Bouquet* writes me, without such an Authority, he despairs of being able to get on with the Troops, and such a Quantity of Provisions, as will be absolutely necessary for their Subsistence—This therefore will admit of no Delay, and I am persuaded you will give it the utmost Dispatch, that this most essential Service may not be retarded, when it is in the Power of the Legislature to remove the Difficulty. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFF. AMHERST."

The Papers sent down with, and referred to in, the Governor's Message, and the foregoing Letters from General *Amherst*, were as follow, *viz.*

Two Letters from Lieutenant *Hunter* to Colonel *Burd*, dated at Fort *Augusta*, the Seventh of *June*, 1763—A Letter from Captain *Ourry*, commanding at Fort *Bedford*, to the Governor, the Tenth of *June*—Ditto from *George Croghan* to the Governor, dated at *Shippensburg*, *June* Eleventh—Ditto from *Peter* and *Benjamin Spyker*, of *Tulpehocken*, to *John Ross*, Esq; dated the Eleventh of *June*—Ditto from Colonel *Armstrong*, at *Carlisle*, to the Governor, dated the Twelfth of *June*—Ditto from Lieutenant *Hunter*, at Fort *Augusta*, to Colonel *Burd*, dated the Thirteenth of *June*—Ditto from Colonel *Bouquet* to the Governor, *June* Nineteenth—Ditto from Colonel *Armstrong* to the Governor, dated at *Carlisle*, *June* the Twenty-third—Ditto from Colonel *Burd* to the Governor, dated at Fort *Augusta*, the Twenty-seventh of *June*—Ditto from *Timothy Horsfield*, Esq; at *Bethlehem*, to the Governor, dated the Twenty-seventh of *June*—Ditto from Colonel *Burd*, at Fort *Augusta*, to the Governor, dated the Thirtieth of *June*.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Governor's Message, which, with the several Papers of Intelligence attending it, was again read, and, after some Debate thereon, adjourned to Ten o'Clock To-morrow Morning.

July 6, 1763.

The Governor laid before the House a Letter received by Express from Colonel *Bouquet*, at *Carlisle*, dated the Third Instant, which was read by Order, and follows in these Words, *viz.*

SIR,

I AM sorry to have to acquaint you that our Posts at *Presque-Isle*, *Le Beuf* and *Venango* are cut off, and the Garrisons massacred by the Savages, except one Officer, and seven Men, who have escaped from *Le Beuf*—Fort *Pitt* was briskly attacked on the Twenty-second, had only a few Men killed and wounded, and dispersed the Enemy.

Fort *Ligonier* has likewise stood a vigorous Attack, by Means of some Men who reinforced that small Garrison from the Militia of *Bedford*—the *Indians* expected a strong Reinforcement to make new Attempts on these two Posts.

If the Measures I had the Honour to recommend to you in my Letters of Yesterday, are not immediately put in Execution, I foresee the Ruin of the Part of the Province on this Side *Susquehanna*, and as *York County* would be covered by *Cumberland*, I think they ought to join in assisting to build some Posts, and saving the Harvest—It would not be less necessary to send immediately Arms and Ammunition to be distributed to the Inhabitants, to defend their Reapers. I have the Honour to be,

SIR, Your most obedient humble Servant,

HENRY BOUQUET."

The House again took into Consideration the Governor's Message, together with the foregoing Letter from Colonel *Bouquet*, and, after some Time spent therein,

Resolved, That it be recommended to the Governor and Provincial Commissioners to take into the immediate Pay of this Province any Number of the Back Inhabitants, and others, not exceeding Seven Hundred Men, exclusive of those already in the Service of the Government, to be divided, stationed and employed in protecting the Frontier Inhabitants, within the purchased Parts of the said Province, during the Time of Harvest, or until the next Meeting of this House.

Resolved, That if the Sum of Money now remaining in the

public Treasury should prove insufficient to defray the Expence of raising the aforesaid Number of Men, this House will, with the Assent of the Governor, supply the Deficiency at their next Meeting.

Ordered, That the Clerk make out a Copy of the foregoing Resolves, to be sent to the Governor; and the same being done accordingly at the Table,

Ordered, That Mr. *M'Connaughy* and Mr. *Galbreath* wait on the Governor, and deliver the said Copy.

The House then taking into Consideration his Excellency General *Amherst's* and the Governor's Requisition of a Law to regulate the Hire of Carriages employed in his Majesty's Service within this Province, and, having spent some Time therein,

Ordered, That Mr. *Fox*, Mr. *Galloway* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill for that Purpose.

The Members appointed to wait on the Governor with the Resolves of this Morning, reported, they had delivered the same according to Order; and that his Honour was pleased to acquaint them, that he was well satisfied with the Vote of the House in the present Exigency, and should use his utmost Endeavours to render the same effectual.

Then the House adjourned to Three o'Clock, *P. M.*

The Committee appointed to prepare and bring in a Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was, by special Order, again read, debated by Paragraphs, and ordered to be transcribed for a third Reading.

The House then taking into Consideration, that an Act of General Assembly may be necessary for the better Regulation of the Troops lately voted for the Protection of the Frontier Settlements within the purchased Parts of the Province, after some Debate thereon,

Ordered, That Mr. *Hughes*, Mr. *Dickinson*, Mr. *Fleeson*, Mr. *Cruson*, Mr. *Morton*, Mr. *Wayne*, Mr. *M'Connaughy* and Mr. *Moor* be a Committee to prepare and bring in a Bill for that Purpose.

Then the House adjourned to Ten o'Clock To-morrow Morning.

July 7, 1763.

A Memorial from *Samuel Preston Moore*, Esq; Provincial Treasurer, was presented to the House and read, setting forth, that he was Yesterday informed, by the Member for *Cumber-*

land, that *John Lindsay*, lately appointed Collector of Excise and *Negro* Duties for that County, is now in Goal, committed there for a private Debt, whereby the Collection of those Duties ceases, of which the Memorialist conceives it to be his Duty to acquaint the House, in order that he may receive such Directions therein, as they shall judge necessary.

Ordered to lie on the Table.

The Bill for regulating the Hire of Carriages to be employed in his Majesty's Service, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

The Committee appointed to prepare and bring in a Bill for regulating Officers and Soldiers in the Pay of this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was, by special Order, again read, and ordered to be transcribed for a third Reading.

Then the House adjourned to Five o'Clock, *P. M.*

The Bill for regulating Officers and Soldiers in the Pay of this Province, being transcribed according to Order, was read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That *Mr. Melvin* and *Mr. Moor* do wait on the Governor therewith, as also with the Bill for regulating the Hire of Carriages, passed in the Forenoon, and deliver the same for his Consideration and Assent.

Then the House adjourned to Ten o'Clock To-morrow Morning.

July 8, 1763.

The Members appointed to wait on the Governor with the Bills for regulating the Hire of Carriages employed in his Majesty's Service, and the Officers and Soldiers in the Pay of this Province, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

The Governor, by *Mr. Secretary*, sent down a written Message to the House, and returned the Bills for regulating the Hire of Carriages, and the Officers and Soldiers in the Pay of this Province, acquainting the House that he was ready to pass the same whenever they presented them for that Purpose, and the said Message being read, follows in these Words, *viz.*

GENTLEMEN,

'IN the course of the present Year a great deal of public Business hath been transacted by me, and, I believe, as many

useful Laws enacted, as by any of my Predecessors in the same Space of Time; yet I have not understood that any Allowance hath hitherto been made to me for my Support, as hath been customary in this Province. I therefore beg Leave to recommend this Matter to your Consideration.

July 8, 1763.

JAMES HAMILTON."

Ordered, That Mr. *Pearson* and Mr. *Cruson* wait on the Governor, and acquaint him, that as he hath been pleased to return the Bills presented to him, with his Assent to the same, the House desire to know at what Time it may be most convenient to his Honour to enact them into Laws.

The House then taking into Consideration the Governor's Message concerning a Provision for his Support, after some Debate thereon,

Resolved, That the Sum of *Five Hundred Pounds* be allowed and given to the Honourable *James Hamilton*, Esq; Lieutenant-Governor of this Province, &c. towards his Support for the current Year. And a Certificate for the said Sum being drawn at the Table accordingly, the same was signed by Mr. Speaker, and ordered to be presented to the Governor.

The Members appointed to wait on the Governor with the Message of the House, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be in the Council Chamber at Half after Twelve this Afternoon, to enact into Laws the two Bills returned with his Assent.

The House then resumed the Consideration of the Memorial from *Samuel Preston Moore*, Esq; Provincial Treasurer, and, after some Time spent therein,

Ordered, That the said Treasurer do offer the Collectorship, for the County of *Cumberland*, to the Father of *John Lindsay*, the late Officer, and, if he inclines to accept the same, appoint him accordingly; taking Care in the mean Time to use every necessary Means for securing to the Government such Sums of Money belonging thereto, as may have come into the Hands of said *Lindsay* (the Son) by Virtue of his late Office.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the Members of Assembly, in the Council Chamber, to enact into Laws the Bills to which he hath given his Assent."

Ordered, That Mr. *Dickinson* and Mr. *Ross* do see the Great Seal affixed to the said Bills, after they shall be enacted into Laws, and deposite the same in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the

Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor with two Bills, respectively entitled as follow, viz. "*An Act for regulating the Hire of Carriages to be employed in his Majesty's Service,*" and, "*An Act for regulating the Officers and Soldiers in the Pay of this Province.*"—Which Bills his Honour had been pleased to give his Assent to, by enacting the same into Laws; and Mr. Speaker further reported, that he had then, in Behalf of the House, presented their Certificate of *Five Hundred Pounds* to the Governor, who was pleased to say, he was obliged to the House for the same.

Then the House adjourned, as formerly, to *Monday*, the Twelfth of *September* next.

September 12, 1763.

MR. Speaker, with Eighteen Members, met, pursuant to Adjournment; and a Quorum not appearing, they adjourned to Eleven o'Clock To-morrow Morning.

September 13, 1763.

Mr. Speaker, with the Members present last Night, met again, pursuant to their Adjournment; and a Quorum being still wanting, they adjourned to Eleven o'Clock To-morrow Morning.

September 14, 1763.

Mr. Speaker, with Twenty other Members, met again, pursuant to Adjournment; and a Quorum not yet appearing,

Ordered, That the Clerk do give Notice, by Letter, to Mr. *Evans*, Mr. *Carpenter* and Mr. *Douglass* that their Attendance in Assembly is immediately required; and that the Serjeant at Arms do forthwith send a Messenger to *Newtown*, in the County of *Bucks*, for Mr. *Galloway*, Mr. *Chapman* and Mr. *Ross*, attending the Court of the said County.

The Members adjourned to Five o'Clock, *P. M.*

Mr. Speaker, with the Members attending in the Forenoon, met again, pursuant to their Adjournment; and no others being yet come to Town, they adjourned to Ten o'Clock To-morrow Morning.

September 15, 1763.

Mr. Speaker, and the Members present last Night, met again, pursuant to Adjournment; and none of the Absentees being yet come in, they adjourned to Ten o'Clock To-morrow Morning.

September 16, 1763.

A Quorum met this Day, pursuant to Adjournment.

Ordered, That Mr. *Chapman* and Mr. *Ross* wait on the Governor, and acquaint him, that a Quorum of Members being met this Morning, they are ready to receive and proceed on any Business his Honour may be pleased to lay before them.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he should send a Message to the House this Afternoon.

The Governor, by Mr. Secretary, sent down a written Message to the House, intended to have been delivered on the Day of the Date thereof, but postponed by the Members not making a Quorum till this Morning.—With the said Message the Secretary also laid before the House two Letters, of the Tenth and Eleventh Instant, from *Jonas Seely*, Esq; of *Berks* County, containing Accounts of fresh Murders and Depredations committed by the *Indians*, near *Reading*, in the said County; which were severally read by Order, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'AGREEABLE to the Resolve of your House of the Sixth of *July* last, I have, with the Concurrence of the Provincial Commissioners, taken into the Pay of this Province Seven Hundred Men, exclusive of those which compose the Garrison of *Fort Augusta*, for the Defence and Protection of our Frontiers against the Incursions of our cruel and barbarous Enemies the *Indians*: And I have the Satisfaction to acquaint you, that, under the aforesaid Protection, great Part of the Harvest, which is of so much Importance to the Back Inhabitants, hath been gathered in, and as well secured as the Season of the Year would permit: It cannot, however, from its Situation, but be continually exposed to Danger from the Enemy, until it shall be threshed out, and transported to the interior Parts of the Province; a Task which the unhappy Owners represent themselves unable to perform, without the further Assistance of the Government.

'Although, for the two last Months, Gentlemen, we have been so happy that our Frontiers have been very little, if at all, infested by the Enemy; yet, ought we not, from thence, to conclude, that this favourable Respite hath been owing either to Remorse for the Cruelties they have already exercised, or to any Desire of reconciling themselves to us, of which no Overture has hitherto been made that I know of;

but solely to their ardent Desire of pursuing and cutting off the Convoy that was marching under the Command of Colonel *Bouquet*, to the Relief of Fort *Pitt*, then closely besieged by their Friends and Allies—But having, happily for us, miscarried in that Attempt, and been repulsed and defeated with considerable Loss, through the good Conduct and Abilities of the Commanding Officer, and the Bravery of his Majesty's Troops; and thenceforth despairing to reduce that important Fortress by Famine, as they had vainly imagined, there is the greatest Reason to expect that, so soon as they shall find themselves sufficiently reinforced, they will renew their Hostilities against our Frontiers with redoubled Force.

'It is therefore, in my Opinion, of the greatest Consequence, that a Number of Troops should be still kept on Foot for the Protection of the Frontier Settlements; in Hopes that, e'er long, some general Measures will be fallen on by the Colonies for the carrying on the War with Vigour, and attacking the Enemy in their own Country, in order thereby to bring it to a speedy Determination.

'And as the Time limited by the aforesaid Resolve of Assembly for retaining the Troops in Pay, is nearly expired, I do now earnestly recommend it to you, either to renew the said Vote for a longer Time, and with greater Latitude to the Orders of the Governor and Commissioners; or to devise some other Measure, which shall appear to you more effectual, both for the Protection of our own People, and for the Annoyance of the Enemy; and, in particular, to provide a sufficient Fund for supporting the heavy Expence that does of Necessity attend military Operations: In doing of all which you may be assured of my hearty Concurrence and Assistance, so far as is consistent with my Honour, and the Trust reposed in me.

September 12, 1763.

JAMES HAMILTON."

Ordered, That Mr. *Dickinson* and Mr. *Morton* wait on the Governor, and request he will be pleased to furnish the House with an Estimate of the Expence already incurred by raising and continuing in Pay to the present Time, the Seven Hundred Men lately voted by this House for the Protection of the Frontier Settlements.

A Petition from the Managers of the Light-house Lottery was presented to the House and read, setting forth, that the Petitioners are possessed of a considerable Sum of Money, arising from a Lottery set on Foot and drawn by them in the City of *Philadelphia*, for raising a Fund to defray the Expence of building a Light-house on or near Cape *Henlopen*, and for placing and fixing Buoys in the River and Bay of *Delaware*,

to assist the Navigation thereof; and that being desirous the Money now lying in their Hands, with such further Sums as may hereafter be collected from those indebted to them on account of the said Lottery, should be applied as speedily as possible to the Uses intended by the Adventurers, they humbly pray the House would be pleased to take the Premises into Consideration, and appoint proper Persons to receive the Money aforesaid, to collect what remains due, and to dispose of the same in such Manner as shall be most beneficial to the Public, and consistent with the original Design of the said Lottery.

Ordered to lie on the Table.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 17, 1763.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order: and that his Honour was pleased to say, he would give Orders to the Paymaster to lay before the House a Copy of the Estimate required, as soon as the same could be prepared.

The House resumed the Consideration of the Governor's Message of Yesterday, which was again read by Order, and, after some Debate, referred to further Consideration.

The Petition from the Managers of the Light-house Lottery, upon Motion for that Purpose, was again read, and, after some Debate thereon,

Ordered, That Mr. Fox, Mr. Hughes, Mr. Galloway, Mr. Dickinson and Mr. Ross be a Committee to prepare and bring in a Bill to enable certain Persons, therein named, to receive and apply the Money arising from the said Lottery, agreeable to the Prayer of the Petitioners.

A Petition from the Inhabitants of the *Great Cove*, and *Conecocheague*, in the County of Cumberland, was presented to the House and read, setting forth, that the Petitioners, by the late Depredations and Ravages of the *Indians* committed on their Neighbours, being in very imminent Danger, were under the Necessity of taking into Pay a Number of Men, amounting to about Thirty, accustomed to hunting, enured to Hardship, and well acquainted with the Country, for the Protection of themselves and Families: That the said Men (being a Body of intrepid, resolute Fellows, under the Command of one who was a Captive with the *Indians* for several Years) scouted at a considerable Distance, and, by dispatching Runners, gave the Inhabitants timely Notice of any impending Danger, by Means whereof they have been enabled to con-

tinue on their Plantations, and stand a Barrier to the interior neighbouring Settlements: That had not this Expedient been fallen upon, they must have deserted their Habitations, and depended upon the Charities of others; and that although they are very sensible of, and gratefully acknowledge, the Care of the Legislature, in granting a Number of Men for the Protection of the Frontiers, yet they find themselves under the Necessity of employing this Body of Men, inasmuch as the Soldiers granted for their Department are not acquainted with the Country, or the *Indian* Manner of fighting: That the Petitioners are poor, and incapable of supporting this Body of Men, having already advanced greater Sums than they could afford; and unless they are assisted by the Government, shall be obliged to abandon their Plantations to the Savages, to the Ruin of themselves, and great Injury of their Neighbours: For which Reasons they humbly pray the House would take the Premises into Consideration, and enable them to continue the aforesaid Body of Men, in such Manner, and subject to such Directions, as they shall judge most proper and advantageous.

Ordered to lie on the Table.

A Letter to the Provincial Treasurer from *John Lindsey*, of *Cumberland* County, Father of the late Collector of Excise for the said County, was presented to the House and read, expressing much Concern for the Neglect and Misconduct of his Son in the said Office, and offering to make Trial of it himself for one Year: Whereupon the House

Ordered, That the Provincial Treasurer do appoint the said *Lindsey* for one Year accordingly, and use his best Endeavours to recover the Money due to the Public from the late Officer.

Then the House adjourned to *Monday* next, at Four o'Clock in the Afternoon.

September 19, 1763.

The House met, pursuant to Adjournment.

The Governor, by Mr. Secretary, sent down to the House, pursuant to their Request of last Week, an Estimate of Pay, Subsistence, Provision and Bounty Money for the *Pennsylvania* Forces, from the Time of their Enlistment to the Sixteenth Instant inclusive; also Minutes of a Conference lately held by his Honour, at the State-house, with *John Curtis*, *Samuel Curtis* and *Jemmy*, Deputies from the *Wighalousin*, and eight other Tribes of *Indians*; which Papers were severally read, and ordered to lie on the Table.

The House resumed the Consideration of the Governor's Message, and, after some Time spent therein,

Resolved, That the Number of Eight Hundred Men, in Pay

of the Province, be continued to the First Day of *December* next, to be employed in the most effectual Manner for the Defence of this Province.

Resolved, That the Sum of *Twenty-five Thousand Pounds* be granted to his Majesty's Use, for raising, paying and victualing the said Eight Hundred Men, to the First Day of *December* next.

Resolved. That this House will resolve itself into a Committee of the whole House To-morrow Morning, to consider of Ways and Means of raising Supplies for his Majesty's Use.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 20, 1763.

A Petition from *Samuel Wallis*, a Prisoner in the Goal of *Philadelphia*, was presented to the House and read, humbly setting forth, that the Petitioner executed a Bond for the penal Sum of *One Thousand One Hundred and Seventy-two Pounds Eighteen Shillings and Two-pence*, conditioned for the Payment of One Half the same Sum to *John Moore*, of the City of *Philadelphia*, Merchant, his Executors, Administrators or Assigns—that the Consideration of the said Bond was a Quantity of Goods the Petitioner bought of said *Moore*, and carried to *Quebec*, to negotiate to the best Advantage; but, to his great Misfortune, on his Arrival at *Quebec*, his Cargo proved greatly damaged, and the Market so much crowded with Merchandize from different Parts, that the sale (of even such Parts of his Cargo as escaped Damage) was rendered impossible, and became a useless Burden, and grievous Expence to the Petitioner in transporting and returning them to this City—that when the Petitioner was on his said Voyage, *John Moore* aforesaid assigned over the said Bond to *Charles Coxe* and Company, Merchants in the City aforesaid, who, on the Petitioner's Return to *Philadelphia*, arrested him, and continued the same Action until the Petitioner was delivered into the Goal aforesaid, by his Bail, where he has since been confined above Eight Months—that they neglect issuing Execution, though they have obtained a Judgment, and it is impossible for Bail (would it be taken) to be entered by the Petitioner—that the said *Coxe* and Company have brought an Action against the said *Moore* for the same Sum of Money, and have refused to set the Petitioner at Liberty, although he has made use of all Expedients in his Power to satisfy them, in order, if he was at Liberty, he might, in Time, pay them the Debt aforesaid; but they regard not his Proposals, nor will they listen to any Terms in the Power of the Peti-

tioner to make—that the said *Coxe* and Company say they have no Desire to distress or keep the Petitioner in Goal, but that it is not in their Power to release him without losing their Claim against the said *Moore*; and the said *Moore* also declares, that he has no Desire to distress or keep the Petitioner in Confinement, but as he has assigned away the said Obligation, it is not in his Power to release him—that unless the Petitioner is released by the House, he must remain a Prisoner for Life, notwithstanding he has made every Proposal in his Power to do, and is still willing, whenever he may be able, to satisfy the said *Coxe* and Company; wherefore, in Consideration of the heavy Losses the Petitioner has sustained, a Copy of which accompanies this Petition, he humbly prays that the House, as Guardians of Liberty, would extend the Benefit of that invaluable Blessing to him.

Ordered to lie on the Table.

The Petition from the Inhabitants of the *Great Cove*, and *Conecocheague*, was, upon Motion for that Purpose, again read and, after some Debate thereon, unanimously rejected.

Pursuant to the Order of last Night, the House resolved itself into a Committee of the whole House, to consider of Ways and Means of raising Supplies for his Majesty's Service, and, after some Debate thereon, Mr. Speaker resumed the Chair, and Mr. *Fox* reported from the Committee, that they had made some Progress in the Business before them, but previous to any Result thereon, find it necessary they should be furnished with the present State of the Provincial Funds, which they expect to be possessed of by the Afternoon, when they request Permission of the House to sit again.

Resolved, That the House will, in the Afternoon, again resolve itself into a Committee of the whole House, to consider further of Ways and Means for raising Supplies for his Majesty's Service.

Then the House adjourned to Five o'Clock, *P. M.*

The Order of the Forenoon being read,

The House again resolved itself into a Committee of the whole House, to proceed in the Consideration of Ways and Means of raising Supplies for his Majesty's Service, and, after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fox* reported from the Committee, that they had made some further Progress in the Business referred to them, but not having yet come to a final Result thereon, desired Leave to sit again in the Morning; which being agreed to, the House adjourned to Ten o'Clock To-morrow Morning.

September 21, 1763.

The Governor, by Mr. Secretary, sent down a written Message to the House, with a letter from Messieurs *Sargent* and *Aufrere*, *David* and *John Barclay*, Merchants in *London*, inclosing Stipulations agreed to and signed at a Meeting on the Nineteenth of *May* last, for the several Agents of the *North-American* Colonies, impowered to receive the Money voted by Parliament to their respective Provinces, for Services performed by them in the Year One Thousand Seven Hundred and Sixty, which were severally read, by Order of the House, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I SOME Time since received from Messieurs *Sargent*, *Aufrere* and *Barclays*, the Agents appointed by this Province to receive the distributive Share of the Money grantd by Parliament for Services done by the Northern Colonies, the Letter and Inclosure herewith laid before you; in the last of which it is alleged by the Agents of the other Provinces, and allowed by our own, that out of the Parliamentary Grant for the Year One Thousand Seven Hundred and Sixty, *Pennsylvania* hath received the Sum of *Ten Thousand Nine Hundred and Forty-seven Pounds* Sterling, more than its just Proportion, according to General *Amherst's* Return of the Troops furnished by the Colonies for that Year, and that consequently the said Sum ought to be paid over as soon as may be, to the Treasurers, or other Persons, authorized by the respective Colonies to receive the same, according to the Proportions in a Calculation made for that Purpose, and contained in the Body of the said Inclosure.

'If, Gentlemen, on perusing and considering the above-mentioned Papers, you shall find them (as I doubt not you will) to contain a true State of the Case, according to the General's Return, I am persuaded there will not be Occasion of many Words to induce you to make immediate Provision for the Repayment, as is desired, of whatever we have received more than we are fairly entitled to; not only for the Satisfaction you will take in doing an Act of Justice to the other Colonies, but for discharging our aforesaid Agents of an Engagement they entered into on our Behalf, and which it appears they are very solicitous to see punctually complied with; I therefore earnestly recommend this Matter to your serious Consideration.

September 20, 1763.

JAMES HAMILTON."

The Order of last Night being read,

The House resolved itself into a Committee of the whole House, to consider further of Ways and Means of raising Supplies for his Majesty's Service, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fox* reported from the Committee, that not having yet come to any Result on the Business before them, they desired Leave of the House to sit again in the Afternoon, which being agreed to, the House adjourned to Three o'Clock in the Afternoon.

Pursuant to the Order of the Forenoon, the House again resolved itself into a Committee of the whole House, to consider further of Ways and Means of raising Supplies for his Majesty's Service, and, after some Time spent therein, the Speaker resumed the Chair, and Mr. *Fox* reported from the Committee, that having concluded their Deliberations on the Business referred to them, they had come to some Resolutions thereon, which he was directed to report to the House whenever they may be pleased to receive the same.

Ordered, That the Resolutions of the Committee be immediately received by the House.

Mr. *Fox* then, according to Order, reported the said Resolutions of the Committee of the whole House, which he first read in his Place, and then delivered at the Table, where the same being again read, were agreed to by the House, and follow in these Words, *viz.*

Resolved, That the Sum of *Twenty-five Thousand Pounds* be struck and emitted in Bills of Credit of this Province, to be sunk by an Extension of the Excise on spirituous Liquors for the Term of Seven Years beyond its present Limitation, and by the neat Proceeds arising from the Goods and Effects in the Hands of the Commissioners for *Indian Affairs*.

Resolved, That the whole remaining Stock of Goods and Merchandize purchased for carrying on the Provincial Trade with the *Indians*, be, within Eighteen Months next ensuing, disposed of, and converted by the said Commissioners into Cash, to be applied as directed by the foregoing Resolve.

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Galloway*, Mr. *Dickinson*, Mr. *Fleeson*, Mr. *Rhoads*, Mr. *Morton* and Mr. *Ross* be a Committee to prepare and bring in a Bill for granting to his Majesty the Sum of *Twenty-five Thousand Pounds*, to be struck in Bills of Credit of this Province, and sunk by the Funds above directed.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 22, 1763.

It being moved that the Act for regulating the Nightly

Watch, and enlightening the Streets of the City of *Philadelphia*, with its Supplement, will expire at the End of the present Sitting of Assembly.

Ordered, That Mr. *Fox*, Mr. *Hughes*, Mr. *Dickinson* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill for continuing the said Act.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 23, 1763.

The Committee appointed to prepare and bring in a Bill for granting the Sum of *Twenty-five Thousand Pounds* to his Majesty's Use, and striking the same in Bills of Credit of this Province, reported, they had essayed a Draught for that Purpose, which they presented to the Chair; and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Committee appointed to prepare and bring in a Bill for enabling certain Persons, therein named, to erect a Lighthouse at the Mouth of the Bay of *Delaware*, at or near Cape *Henlopen*, and for placing and fixing Buoys in the said Bay and River *Delaware*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table; and the same being read the first time, was ordered to lie on the Table for a second Reading.

The Committee appointed to prepare and bring in a Bill to continue the Act, entituled, "*An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of Philadelphia*," &c. reported, they had essayed a Draught for that Purpose, which they begged Leave to present to the Chair; and the same being read the first time, was ordered to lie on the Table, for a second Reading.

The Commissioners for paving the Streets of the City of *Philadelphia*, laid before the House a State of the Accounts of certain Managers of the late large Lottery set up and drawn in this City, for paving the Streets aforesaid, by which it appearing that some considerable Balances remain due for Orders from the said Managers, though they have been repeatedly applied for by the said Commissioners appointed by Law to receive the same;

Ordered, That Mr. *Fox*, Mr. *Galloway*, Mr. *Dickinson* and Mr. *Rhoads* be a Committee to prepare and bring in a Bill to enable the Commissioners for paving the Streets aforesaid to demand, sue for and recover from the several Persons indebted for the said Orders, such Balances as yet remain due and unpaid.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion,

The Petition of *Samuel Wallis*, a Prisoner in the Goal of *Philadelphia*, was again read, and, after some Debate thereon,

Ordered, That Messieurs *Charles Cox* and *John Moore* have Notice of the said *Wallis's* Application to this House for Release of his Person from Confinement, in order that they may appear, and make their Objections (if any they have) against a Compliance of the House with the Prayer of the said Petition.

Ordered, That *Mr. Evans*, *Mr. Knight*, *Mr. Pennock*, *Mr. Carpenter* and *Mr. Ross* be a Committee to examine and settle the several Accounts of incidental Expences for the current Year.

Mr. Rhoads, by Direction of the Managers of the *Pennsylvania* Hospital, presented to the Chair an Account of its present Capital Stock, together with the Expences, and Number of Patients received and dismissed, during the past Year; which was ordered to lie on the Table for the Perusal of the Members.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 24, 1763.

The House resumed the Consideration of the Bill for granting the Sum of *Twenty-five Thousand Pounds* to the King's Use, and striking the same in Bills of credit of this Province. &c. which being read through the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

The House then took up the Bill to continue an Act, entitled, "*An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of Philadelphia*," &c. which being read the second time, was ordered to be transcribed for a third Reading.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

September 26, 1763.

Mr. Speaker, with Twenty-two other Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

September 27, 1763.

The House met, pursuant to Adjournment.

A Petition from *Benjamin Chew*, Esq; Attorney General of the Province of *Pennsylvania*, was presented to the House and

read, setting forth, that in the Year One Thousand Seven Hundred and Fifty-four he was honoured with a Commission, from the Lieutenant-Governor of the Province aforesaid, appointing him Attorney General, which Office he hath filled and executed with Care and Fidelity ever since, and (he flatters himself) to the Satisfaction of the Public—That, during the Term aforesaid, he hath frequently attended the Courts of Oyer and Terminer held at a Distance from this City, and there prosecuted the Pleas of the Crown against Persons charged with capital Offences, to the great Injury of his other Business, and at his own Expence, the Number of Criminals at each Court being generally very small, and those at the same Time so poor, as not to be able to pay their Fees—That the Profits of the Office of Attorney General of this Province would be very inconsiderable, if all the legal Fees could be punctually collected and paid upon every Indictment; but when it is considered that a great many of those unhappy People, whose Crimes subject them to public Prosecutions, are so extremely indigent, that the Petitioner, from the Principles of common Humanity, is under the Necessity of remitting to them a great Part of the Fees which are justly due to him, to prevent their languishing in a loathsome Goal, it must be evident, that the Perquisites of the Office are very inadequate to the Care and Trouble attending the Execution of it; the Petitioner therefore, encouraged by the Example of former Assemblies in this Province, who, for a long Course of Years, granted Salaries to the several Gentlemen who, from Time to Time, were appointed to the Office of Attorney General, in Consideration of their public Services, and having a firm Reliance on the Justice of the House, takes the Liberty to make his humble Application to them, and to pray that they will be pleased to grant him such an Allowance for his past Services, as to them, in their Wisdom, shall seem meet.—

Ordered to lie on the Table.

A Petition from Messieurs *Andrew Elliot, Charles Cox* and *George Bryan*, Merchants of the City of *Philadelphia*, was presented to the House and read, setting forth, that *Samuel Wallis*, late of *Deer-Creek*, in *Maryland*, became bound to *John Moore*, of the City aforesaid, Trader, by a sealed Obligation, bearing Date the Sixteenth Day of *April*, One Thousand Seven Hundred and Sixty-one, in the Sum of *Three Thousand, One Hundred and Twenty-eight Spanish Dollars*, conditioned for the Payment of the Sum of *Fifteen Hundred and Sixty-four Spanish Dollars*, on the Sixteenth Day of *August*, One Thousand Seven Hundred and Sixty-one, to the

said *John Moore*, or his Assigns— that *John Moore*, by false Allegations, as to the Solvency of the said *Wallis*, a Person then unknown to the Petitioners, and absent in *Canada*, did fraudulently prevail with them to accept of an Assignment of the aforesaid Obligation—that on the Return of *Samuel Wallis* to this City, the Petitioners, after repeated Application to him for Payment, did sue and arrest the said *Wallis* at common Law on the said Bond—that finding the said *Samuel Wallis* utterly incapable of paying the said Bond, or making any Satisfaction for the same, the Petitioners were advised by their Council learned in the Law, to carry on a Suit against *John Moore*, to oblige him to make good the Amount of said Bond so as aforesaid assigned by him, and this Suit is now depending—that the Petitioners are informed, that *Samuel Wallis*, now a Prisoner in the Goal of this City, has applied to the General Assembly for Enlargement, but that they the Petitioners cannot consent to the Enlargement of the said *Wallis*, because it may by Law affect their Suit against *John Moore*; they submit it, however, to the Wisdom of the House, whether, if it shall be thought expedient to grant the Prayer of his Petition, Provision may not be made, in any Law to be formed for that Purpose, for saving the Petitioners Right against the said *John Moore*, that their Suit now depending against the said *Moore*, be not injured by any Relief the Assembly may think proper to afford the said *Samuel Wallis* on his Petition.

Ordered to lie on the Table.

A Petition from *John Moore*, of the City of *Philadelphia*. was presented to the House and read, setting forth, that *Samuel Wallis*, a Native of *Maryland*, came to this City in the Year One Thousand Seven Hundred and Sixty-one, where he contracted several Debts, and among others purchased sundry Goods of the Petitioner, to the Amount of about *Six Hundred Pounds*, for which he passed to him his Bond, and with the Goods so bought of the Petitioner, and others, in this City, went to *Quebec*, where Markets proving dull, he soon after returned, brought great Part of his Cargo back, which he sold here, and, with the Proceeds thereof, paid most, if not all, his other Creditors, without taking the least Notice of, or discharging, any Part of the Bond aforesaid, which Bond was at and before his Return assigned to and in the Hands of Mr. *Charles Cowe*, and others, the Petitioner's Creditors, to them paid and assigned, in Satisfaction and Discharge of certain Debts he then owed them—Afterwards, in further Prosecution of the said *Wallis's* Intentions to injure

and distress the Petitioners, in the Month of *April*, One Thousand Seven Hundred and Sixty-two, the said *Wallis* came to him, and informed him he was about to take a Voyage to the *West-Indies*, and intreated the Petitioner to trust him with a large Quantity of bottled Liquors, which he would pay for on his Arrival there; accordingly the Petitioner let him have the Goods mentioned in the Account herewith delivered, and the said *Wallis* thereupon, instead of proceeding to the *West-Indies*, immediately put the said bottled Liquors into the Hands of one *William Green*, at *Wilmington*, save the Fourteen Casks mentioned in the Account referred to, which the Petitioner stopped on board a Shallop bound to *Wilmington*; so that on this Account the said *Wallis* now owes him near *Eight Hundred Pounds*, the Loss of which would be grievous to the Petitioner to bear, especially from a Person who has Friends and Relations in the neighbouring Province, who, if he be worthy, will no Doubt interpose and administer Assistance to him—wherefore the Petitioner submits it to the Consideration of the House, whether the passing a Law for Enlargement of the said *Wallis*, under the Circumstances above related, would be consistent with Right and Justice?

Ordered to lie on the Table.

The Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds* in Bills of Credit, and giving the same to the King's Use, &c.—and the Bill to continue the Act for regulating the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of *Philadelphia*, being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bill do pass.

Ordered, That Mr. *Pearson* and Mr. *Ash* wait on the Governor therewith, and deliver the same for his Consideration and Concurrence.

Then the House adjourned to Three o'Clock, *P. M.*

Mr. Speaker, with Twenty-two other Members, met, pursuant to Adjournment, and a Quorum not appearing, they adjourned to Ten o'Clock To-morrow Morning.

September 28, 1763.

A Quorum met, pursuant to Adjournment.

The Members appointed to wait on the Governor with the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds* in Bills of Credit of this Province, and the Bill to continue the Act, entitled, "*An Act for regulating and continuing the Nightly Watch*," &c. reported, they had delivered the same according to Order; and that his Honour was pleased

to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power.

The Accounts of the *Pennsylvania* Hospital, brought into the House some Days since, were taken up, read by Order, and are as follow, *viz.*

The STATE of the PENNSYLVANIA HOSPITAL, abstracted from the Accounts adjusted by the MANAGERS, and laid before the CONTRIBUTORS, at their annual Meeting, in Philadelphia, the second of Fifth Month (May), 1763;—from the First Day of Fifth Month (May) 1762, to the First of Fifth Month (May) 1763.

BALANCE in the Hands of the Treasurer the 30th of Fourth Month, 1762, £ 521 16 5

RECEIPTS, viz.

Of the Provincial Treasurer £3000, granted by the House of Assembly of this Province, to be applied to discharge the Balance due to the Capital Stock last Year; and for such Purposes, for the Benefit of the Institution, as the Managers may find necessary,	£ 3.000	0	0
Contributions and Benefactions from private Persons,	680	7	5

Interest Money received from sundry Contributors, due on their respective Notes,	£ 38	0	9
Ditto from the Borrowers of Money lent on Bonds and Mortgages, .	311	13	0
Annuities this Year received,	83	0	0
	£ 432	13	9

CHARITY-BOXES, viz.

The Hospital's, in the Hall,	£ 36	1	11
Provincial Assembly's,	7	2	6
William Allen's, Esq;	4	17	3
William Coleman's, Esq;	19	6	11
Isaac Jones's, Esq;	13	13	6
	£ 81	2	1

Of Kenith M'Kinsey, and David M'Murtrie, for Wages due to Robert Agnew, a Seaman, to be repaid to the Heirs of said Agnew, if demanded, per Receipt given them by the Treasurer, ..	27	18	0½
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From some Military Officers, by the Hands of the Mayor of this City,	13 10 0	
Of the Union Fire-Company (for two Posts)	0 10 0	
Of several Juries, Fines collected from their Members, for not attending at the exact Time of their Adjournments,	1 13 0	
Of Paul Isaac Voto,	3 16 0	
Of Stocker and Fuller, for a Per- son unknown,	5 0 0	
Of James Pemberton, Do.	2 10 0	
Of Alexander Lunan, for a Person unknown,	10 0 0	
Of John Mock,	3 0 0	
Of David Hall, so much left at his Shop, by a Person unknown, ...	2 5 0	
Of Anthony Denormandie,	0 15 0	
Of George Schultz,	2 10 0	
Of Jonathan Potts, 7s. 6d. and Charles Thompson, 22s. 6d.	1 10 0	
Of John Caspar Stover,	2 0 0	
Of George Miller, collected by him in the Township of Providence, Chester County,	5 0 3	
Of Samuel Richards, Constable, ob- tained by him on Adjustment of a Difference,	3 0 0	
Of Pettit and Folwell, their Con- tribution,	5 0 0	
Of Thomas Evans, Ditto,	5 0 0	
Of Frederick Schallenberg,}		
Ditto for his Sister,.....}	9 3 4	
	<hr/>	£ 104 0 7½
For the Board of Pay Patients,	365 14 8	
Of sundry Persons the principal Sums of their Mortgages and Bonds, for Money lent on In- terest, discharged since last Settlement, ...	924 7 4	
Of sundry Contributors, for their Promissory Notes paid off this Year,	274 10 0	
	<hr/>	£ 6,384 12 3½

BALANCE due to the Steward, on the Settlement of his last Month's Account of last Year, £ 7 15 2

PAYMENTS this Year, viz.

Lent to sundry Persons on Interest, per Bonds and Mortgages in the Hands of the Treasurer,	£4,035	8	6
Notes taken from sundry Contributors, for their respective Subscriptions this Year,	62	0	0
	<hr/>		
	£4,097	8	6

Sundry Disbursements on the Building Inside, for accommoda- ting the Increase of the Number of Patients, small Rooms for the Lunatics up Stairs, plaistering the Hall, Stair-case and Cham- bers, &c.	£438	1	4
Furniture, additional Beds, Bed- ding, &c.	200	9	9
	<hr/>		
	£	638	11 1

EXPENCES, viz.

House-Keeping, including Meat, Butter, Cheese, Flour, Rice, Melasses, Milk, Candles, Soap, &c. &c.	£799	0	11½
Firewood,	£	146	11 0
Ditto, Part of the last Year's, omitted, ...	65	5	4
	<hr/>		
	£211	16	4
Hay for Cows, &c. and carting Ditto,	33	1	0
Dung for the mowable Part of the Lot,	7	7	6
Cloathing for John Peter Operting, a Lunatic,	3	1	3½
Wages to the Steward, Matron, Nurses and Servants,	158	14	8
	<hr/>		
	£1,213	1	0
Drugs and Medicines,	25	5	3½
	<hr/>		
	£1,238	7	0½

Extraordinary EXPENCES, viz.

A Fee to Council in Maryland, to- wards recovering a valuable Legacy, bequeathed by Christo- pher Brown, of Queen Ann's County, in that Province, now likely to be recovered,	£ 6 15 0
Prints of the View of the Hos- pital, to send to England to be distributed,	10 12 6
	£ 17 7 6

BALANCE remaining, viz.

In the Hands of the Treasurer, ..	£362 6 10½
Due from the Steward, on Settle- ment of his last Month's Account, 4th Month 26, 1763,	22 16 1½
	£ 385 3 0
	£ 6,384 12 3½

CAPITAL STOCK, First of Fifth Month (May), 1763.

Lent out, and now remaining on Interest, per Mortgages and Bonds in the Hands of the Treasurer,	£ 6,963 1 2
Bonds and Promissory Notes due from sundry Contributors, for their respective Subscriptions,	1,931 6 8
Subscriptions for which Notes are not yet obtained, (14) amounting to,	84 0 0
	£ 8,978 7 10

REAL ESTATE, viz.

A Lot of Ground in the Northern Liberties, on Germantown Road, Value,	£ 24 0 0
An Annuity of Six Pounds per Annum, issuing out of a House and Lot in Darby, Chester County,	100 0 0
Three Annuities, amounting to Ten Pounds One Shilling and Four-pence per Annum, issuing out of three Houses and Lots in Philadelphia,	200 0 0

An Annuity of Fourteen Spanish Pistoles per Annum, issuing out of a Lot and House in Chestnut Street, in Tenure of James Black,	378	0	0	
				£ 702 0 0
Dr. J. Fothergill's Donation of anatomical Paintings and Casts, a Skeleton, &c.	350	0	0	
				£ 10,030 7 10

LIST of CONTRIBUTIONS and LEGACIES, from the First of Fifth Month (May), 1762, to the First of Fifth Month (May), 1763.

Assembly of the Province of Pennsylvania, ..	£ 3,000	0	0	
Robert Agnew, Mariner,	27	18	0½	
David Barclay and Sons, of London, One Hundred Pounds Sterling, received,	175	0	0	
Henry Croyder, of Cocalico Township, Lancaster County, the Remainder of his Legacy,	17	17	0	
James Cresson, Carpenter,	10	0	0	
Jonathan Evans, added,	10	0	0	
Thomas Evans, of Gwined,	5	0	0	
Dr. John Fothergill, of London, a Donation of Eighteen anatomical Drawings of different Parts of the human Body, and Casts, a Skeleton, &c. Value,	350	0	0	
Lawrence Growdon, Esq; of Trevost, Bucks County,	50	0	0	
Richard Hockley, Esq;	27	0	0	
John Hannum, of Concord, Chester County, ..	10	0	0	
Abraham Heiderick, of Towamensing,	10	0	0	
John Lownes,	20	0	0	
George Miller, of Providence, Chester County, being so much remaining of a Collection made in that Township for another charitable Purpose,	5	0	3	
John Mock,	3	0	0	
Daniel Mildred and John Roberts, of London, Merchants, One Hundred Pounds Sterling, received of Jeremiah Warder,	172	10	0	
James M'Cullough, deceased,	8	19	4	
Military Officers, per Henry Harrison, Esquire, ..	13	10	0	
Pettit and Folwell, Joiners,	5	0	0	

John Oseland, of Bristol, Great-Britain,	10	0	0
Caspar Stover added,	2	0	0
The Honourable Thomas Penn and Richard Penn, Esquires, our Proprietaries, an annual Donation of Forty Pounds, the first Year received,	40	0	0
George Shultz, of Upper Hanover,	2	10	0
Jonathan Shoemaker,	10	0	0
Frederick Schallenberg's Sister,	9	3	4
The Remainder of Richard Spring's Legacy, (the former Part being Thirty Pounds) ...	6	17	7
Unknown, per Alexander Lunan,	10	0	0
Ditto per David Hall,	2	5	0
Ditto per Samuel Richards,	3	0	0
Ditto per James Pemberton,	2	10	0
Ditto per Stocker and Fuller,	5	0	0
John Taylor, Mariner, and John Kelly, on Settlement of a Difference,	5	0	0
Thomas Wharton, junior,	15	0	0
Isaac Whitlock, of Lancaster, added,	15	13	6
John Wilcocks, deceased,	25	0	0
Caspar Wister,	25	0	0
Joseph Wetherell, junior,	10	0	0
Joseph Watkins, junior,	12	0	0
Anthony Denormandie,	0	15	0
Paul Isaac Voto,	3	16	0
Jonathan Potts,	0	7	6
Several Juries Fines collected,	1	13	0
Ditto per Charles Thompson,	1	2	6
Charity-Boxes, as before mentioned,	81	2	1

ABSTRACT of the Cases of PATIENTS admitted into the PENNSYLVANIA HOSPITAL, from the Twenty-eighth of Fourth Month (April), 1762, to the First of the Fifth Month (May), 1763.

DISEASES.	Admitted.	Cured.	Relieved.	Incurable.	Taken out by their Friends.	Escaped or discharged for Irregularity.	Died.	Remaining.
Agues,	6	5	—	—	—	—	—	1
Asthma,	1	—	1	—	—	—	—	—
Burn,	1	1	—	—	—	—	—	—
Consumption,	4	—	—	—	—	—	4	—
Contusion,	2	1	—	—	—	—	—	1
Cough,	4	3	1	—	—	—	—	—
Deafness,	1	1	—	—	—	—	—	—
Dislocation,	1	—	—	—	—	—	—	1
Dropsy,	17	10	1	—	—	—	3	3
Drunken Madness,	1	1	—	—	—	—	—	—
Epilepsy,	1	—	—	—	—	—	—	1
Eyes diseased,	13	7	2	—	—	—	—	4
Fevers,	21	11	3	—	—	1	3	3
Fistula,	3	—	—	—	—	—	1	2
Flux,	15	9	—	—	—	—	4	2
Fractures,	4	2	1	—	1	—	—	—
Guinea Worm,	1	1	—	—	—	—	—	—
Jaundice,	2	—	—	—	—	—	—	2
Imposthume,	3	1	—	—	—	—	1	1
Inflammations,	2	2	—	—	—	—	—	—
Lues Venerea,	25	20	—	—	—	1	1	3
Lunacy,	52	6	7	2	5	2	7	23
Melancholy,	3	—	—	—	1	—	—	2
Mortification,	4	2	—	—	—	1	—	1
Palsy,	10	3	3	—	—	—	1	3
Pleurisy,	3	1	—	—	—	—	1	1
Rheumatism,	10	8	—	—	—	—	—	2
Ruptures,	2	—	—	—	—	—	—	2
Scirrrous Swellings,	1	1	—	—	—	—	—	—
Scrophulous Ulcers,	1	—	—	—	—	—	—	1

Scorbutic Disorders,	44	20	7	—	—	3	1	13
Small-Pox,	2	1	—	—	—	—	1	
Sprain,	6	3	1	—	—	1	—	1
Stone,	2	—	—	—	1	—	—	1
Vertigo	1	1						
Viscera obstructed,	11	6	1	—	—	1	2	1
Ulcers with carious Bones,	3	1	—	—	—	—	1	1
Uterine Disorders,	3	3						
Wounds,	6	4	—	—	—	1	1	
	—	—	—	—	—	—	—	—
In all,	292	135	28	2	8	11	32	76

And about Twenty Out-Patients, who had the Assistance of the Physicians and Medicines, most of whom are known to be cured or relieved.

Signed on Behalf and by Order of a Board of Managers,

JOSEPH RICHARDSON,

ISAAC GREENLEAF,

THOMAS WHARTON."

September 28, 1763.

The Committee appointed to prepare and bring in a Bill to enable the Street Commissioners to sue for and recover certain Balances remaining unpaid to the Managers of the several Lotteries drawn for paving the Streets of the City of *Philadelphia*, reported, they had essayed a Draught for that Purpose, which they delivered at the Table, and the same being read the first time, was ordered to lie on the Table for a second Reading.

Ordered, That Mr *Mifflin*, Mr. *Foulke*, Mr. *Ashbridge*, Mr. *Douglas* and Mr. *Ross* be a Committee to visit the *Pennsylvania* Hospital, and report the State thereof to the House.

Then the House adjourned to Three o'Clock, *P. M.*

The House resumed the Consideration of the Bill to enable the Street Commissioners to sue for and recover certain Balances, &c. and the same being read the second time, and debated by Paragraphs, was ordered to be transcribed for a third Reading.

Then the House adjourned to Ten o'clock To-morrow Morning.

September 29, 1763.

The Governor, by Mr. Secretary, sent down to the House the Bill to continue the Act, entitled, "*An Act for regulating the Nightly Watch, and enlightening the Streets, Lanes and*

Alleys of the City of Philadelphia," and acquainted them, that he should be ready to pass the same, whenever presented to him for that Purpose—The Secretary also returned the Bill, entitled, "*An Act for striking and emitting the Sum of Twenty-five Thousand Pounds in Bills of Credit, and giving the same to the King's Use,*" &c. with a written Message from his Honour to the House, which was read by Order, and follows in these Words, *viz.*

Gentlemen,

"I OBSERVE by the Supply Bill sent up for my Concurrence, entituled, "*An Act for striking and emitting the Sum of Twenty-five Thousand Pounds, and giving the same to the King's Use,*" &c. that the *Sum of Twenty-five Thousand Pounds* in Paper Bills of Credit is directed to be struck and issued in Lieu of Money; and that the said Bills are made a legal Tender in Discharge of all Debts, Dues and Demands whatsoever; although, at the same Time, every Body must be sensible that they are by no Means equal to, but fall greatly short of, the nominal Value at which they are to be emitted—Hence it is, that, with real Concern, I find myself obliged to differ with you upon this Head, and to remind you of certain Transactions before his late Majesty in Council, relative to an Affair of precisely the same Nature with that under Consideration.

'You will be pleased, Gentlemen, to remember, that, among the several Provisions in the Supply Bill of One Thousand Seven Hundred and Fifty-nine, to which your Proprietaries objected, one was that the Bills of Credit to be thereby issued were made a legal Tender for the Discharge of all Debts and Contracts whatsoever, at the Rates at which they were emitted, by which they conceived themselves liable to a great Injustice in the Payment of their Rents and Quitrents, and thereupon made Application to his Majesty in Council for Redress—And the Lords of the Council having heard, among others, the Merits of the above-mentioned Clause or Provision fully canvassed and debated before them by learned Counsel on both Sides, were pleased to report to his Majesty their Opinion, that the said Act was fundamentally wrong and unjust, and ought to be repealed, unless certain Alterations and Amendments, by them specified, could be made therein—Of which Alterations that which principally relates to the present Bill, is to the Effect following, *to wit,* that instead of the Clause which makes Paper Bills of Credit, at the Rate they are emitted, a legal Tender to the Proprietaries for their Rents, which are reserved in Sterling, the Provision should

be, *That the Payments by the Tenants to the Proprietaries of their Rents shall be according to the Terms of their respective Grants, as if such Act had never been passed*—Upon which Report of their Lordships, there is little Room to doubt but the first mentioned Act would have been repealed at that Time, had not your Agents then in *England* interposed and prevented it, by undertaking, by their Agreement entered in the Books of the Privy Council, that (in case the said Act should not be repealed) the Assembly would amend it according to the Amendments proposed by the Lords of the Committee of Council in their Report of that Day: Upon which said Undertaking, on Behalf of the Assembly, his Majesty was graciously pleased so far to rely, as to permit the said Act to stand unrepealed.

‘Having thus laid before you the Proceedings of our Superiors in a Case exactly similar to that now before us, I may venture to appeal to yourselves, whether, after so explicit a Declaration from his Majesty and his Privy Council, it can be reasonably expected of me to act in direct Contradiction to their Judgment, and give my Assent to a Measure which, after the most mature Deliberation, they have pronounced to be wrong and unjust?—Not to mention the very great Inconveniences that might result to the Province, should I presume, in Contempt of his late Majesty’s Decree, to pass this Bill into a Law; since it can scarcely be doubted but that Application would immediately be made for its Repeal, in the same Manner as was done before, and with the greater Prospect of Success, for its having been passed in direct Opposition to the declared Sentiments of his Majesty and his Ministers—And I leave it to you to judge of the Confusion that would ensue upon the Repeal of any of our Money Laws, while the Bills are circulating in the Hands of the People.

‘I observe also, that, by the Bill now under Consideration, although the *Indian Trade Commissioners* are directed to dispose of the Goods and Effects in their Possession, and to pay into the Hands of the Provincial Treasurer the Amount thereof in Bills of Credit, to the End they may be sunk and destroyed; yet, by a subsequent Clause, it is provided that the Money arising from that Fund is not to be actually sunk, but still to be kept on Foot, if the Excise, together with the said Fund, does not produce, in Seven Years, sufficient to sink the *Twenty-five Thousand Pounds* to be emitted by the Bill, and pay all incidental Charges.—You will please to remember, Gentlemen, that the Sum of *Fourteen Thousand Pounds* was, by a late Law, taken out of the Money granted by Parliament,

for the Purpose of easing the People of the heavy Taxes imposed upon them, and lent to the *Indian* Trade Commissioners, to enable them to carry on that Trade, hoping by that Means to cultivate the Friendship of the *Indians*: But as, by the unhappy War we are now engaged in with the *Indians*, all Trade with them is at an End, and you yourselves are of Opinion there is no further Occasion for that Fund, I cannot see how you can, consistent with the End for which the Parliamentary Grant was made, or indeed with Justice to the People, now avoid the Sinking that Money, in Ease of their Taxes.—The Excise itself is sufficient to sink the *Twenty-five Thousand Pounds* to be emitted by the present Bill; or if it was not, you have made Provision for its continuing after the Term of Seven Years, until the said Sum shall be sunk.

‘I must therefore intreat you, Gentlemen, to reconsider your Bill, and amend it in these Particulars, so that I may, consistent with my Duty, be able to give my Assent to it, and thereby do my part for establishing a Fund so absolutely necessary at this Time, to enable us to protect our Frontiers, and to put a Stop to the cruel and barbarous Depredations now carrying on by the Savages against the Persons and Effects of our Inhabitants.

September 29, 1763.

JAMES HAMILTON."

The Bills for erecting a Light-house, and to enable the Street Commissioners to sue for and recover certain Balances due from sundry Persons to the Managers of the several Lotteries set up and drawn for paying the Streets of the City of *Philadelphia*, &c. being transcribed according to Order, were read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. *Dickinson* and Mr. *Ross* wait on the Governor therewith, for his Assent to the same.

The House then taking into Consideration the Governor's Message of this Day, sent down with the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, &c. and, after some Time spent therein, the Question being put, Whether the House will adhere to the said Bill as it now stands? the same was unanimously resolved in the Affirmative.

Ordered, That Mr. *Dickinson* and Mr. *Ross* wait on the Governor with the said Bill, and acquaint him, that the House unanimously adhere to the same, and request his Honour will pass it as it now stands.

Ordered, That the Bill to continue the Act for regulating the Nightly Watch, &c. be engrossed.

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, &c. and acquaint him that the House adhered to the said Bill as first presented to him, reported, they had delivered the same according to Order; and that his Honour was pleased to say, the House should hear further from him, concerning the said Bill, by a Message in Writing—The said Members also reported, they had delivered to his Honour the Bills for erecting a Lighthouse, and to enable the Street Commissioners to sue for and recover certain Balances, &c. which Bills the Governor was pleased to say he would take into immediate Consideration, and give them all the Dispatch in his Power.

The Committee appointed to visit the *Pennsylvania* Hospital, and examine into the present State and Circumstances thereof, made their Report in Writing, which was read by Order, and follows in these Words, *viz.*

In Obedience to the Order of the House, your Committee have visited the *Pennsylvania* Hospital, and do humbly report, that we find the House crowded with distressed Patients, and the several Apartments kept sweet and clean, and are persuaded the utmost Care is taken, and every Endeavour used, for restoring them to Health, to the Honour of the Managers, Physicians and others, concerned in the Care and Government of this excellent and charitable Institution."

The Governor, by Mr. Secretary, again sent down the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, and giving the same to the King's Use, &c. with a short Message in Writing, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

"I AM extremely concerned to find by your verbal Message of this Day, that you decline amending your Bill for granting Money to the King, in the Particulars by me pointed out to you.

"I beg Leave, before you separate, once more to recommend to your unprejudiced Consideration, the great Mischiefs which may ensue to the Province, from your so tenaciously adhering to a Measure that has been solemnly adjudged against you by his Majesty in Council.

"There hath not been wanting, on my Part, the most sincere Disposition to perfect this Bill, by enacting it into a Law: But

as you have not thought fit to accept of it, on such Terms as my Duty would allow me to pass it, I must endeavour, in Case any Misfortune should follow, to satisfy myself with the Reflection, that nothing hath been proposed by me but what hath appeared to me to be founded in Justice and Equity, and hath been so adjudged by the most explicit Declaration of the King and Council, on a similar Clause in a former Bill of our own Legislature.

September 29, 1763.

JAMES HAMILTON."

The Members appointed, at the Sitting of the House in April last, to view a small Tract of Land intended to be purchased by the Government, for the Use of *Isaac Stille*, and report the Value thereof, made their Report to the House in Writing, which was read by Order, and follows in these Words, viz.

In Pursuance of the Order of the House, on the second of April last, we the Subscribers have viewed a small Tract of Land, belonging to *William Allen*, Esq; situate on the River *Delaware*, above *Easton*, and do agree in Judgment, that the said Land is worth *Thirty Shillings per Acre*, according as Land now generally sells, and no more; which however we submit to the House.

Easton, September 8, 1763.

JAMES MELVIN,
SAMUEL FOULKE,
JOHN MOOR."

A Petition from *Philip Martsloff*, of the County of *Berks*, was presented to the House and read, setting forth, that the Petitioner lately dwelt at the Foot of the *Blue Mountain*, on the North Side, in the County aforesaid, where he had, with great Industry, made a small Plantation;—that on the Tenth Instant, while the Petitioner was abroad, five *Indians* came to his House, and cruelly murdered and scalped his Wife, two Sons, and three Daughters, and burnt his House and Barn, with all his Corn and Hay, and every valuable Thing belonging to him, whereby himself, and one Daughter, who alone escaped from his House by Flight, are reduced to extreme Distress: He therefore most humbly prays the House to consider his and his Daughter's unhappy Situation, and contribute in such Manner to their Relief, as in their Wisdom may seem meet.—

Referred to further Consideration.

Then the House adjourned to Ten o'Clock To-morrow Morning.

September 30, 1763.

The Governor, by Mr. Secretary, returned the Bills for erecting a Light-house, &c. and to recover certain Balances

due from the Lotteries drawn for paving the Streets of the City of *Philadelphia*, &c. and acquainted the House, that he should be ready to pass the same when presented to him for that Purpose.

The House resumed the Consideration of the Governor's Message of Yesterday Afternoon, sent down with the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, &c. which was again read by Order, and, after some Debate thereon,

Ordered, That Mr. *Dickinson* and Mr. *Ross*, do again wait on the Governor with the said Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, &c. and acquaint him that, in Pursuance of his Message of Yesterday Afternoon, the House have re-considered their Bill, and being still of Opinion that it is just and reasonable, in all its Parts, they unanimously adhere to the same, and once more present it to his Honour, for his final Result thereon.

Ordered, That the said Members do also acquaint the Governor, that the House desire to know at what Hour in the Afternoon it may be most convenient to him to enact into Laws the three Bills lately sent down with his Assent; and that he will be pleased to appoint a Member of Council to assist in comparing the engrossed Copies of the said Bills with their Originals.

The Commissioners for the *Pennsylvania* Frigate laid a State of their Accounts before the House, which were referred to the Committee of Accounts, to examine and report thereon.

The Members appointed to wait on the Governor with the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, &c. reported, they had delivered the same, for his further Consideration; and that his Honour was pleased to say, he would be in the Council Chamber at Five o'Clock this Afternoon, to enact into Laws the several Bills returned with his Assent; and should, in the mean Time, order the Secretary to join with a Member of the House in collating the engrossed Copies of the said Bills with their Originals.

Upon Motion,

The Petition from *Benjamin Chew*, Esq; Attorney General, was again read; and after some Debate thereon,

Resolved, That the Sum of *Two Hundred Pounds* be allowed and paid to the said *Benjamin Chew*, Esq; Attorney General, in Compensation of his Services to the Public for some Years past in the said Office; and that the further Sum of *Seventy Pounds* be also allowed him for discharging and performing the Duties thereof, during the current Year.

Resolved, That it be recommended to the succeeding Assembly to repeal such Parts of the Law for regulating Fees, as respect an Allowance upon Ignoramus Bills to the Attorney General of this Province.

Then the House adjourned to Three o'Clock, P. M.

The Governor, by Mr. Secretary, again returned the Bill for striking and emitting the Sum of *Twenty-five Thousand Pounds*, &c. and acquainted the House, that he could not recede from his proposed Amendments to the said Bill.

Ordered, That Mr. *Mifflin* join with the Secretary in comparing the engrossed Bills with their Originals.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber, to enact into Laws the several Bills to which he has given his Assent."

Ordered, That Mr. *Fox* and Mr. *Rhoads* do see the Great Seal affixed to the said Bills, after they are passed, and deposit the same in the Rolls Office.

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber, and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor, and presented three Bills, respectively entituled as follows, viz. "*An Act for erecting a Lighthouse at the Mouth of the Bay of Delaware, at or near Cape Henlopen, for placing and fixing Buoys in the said Bay and River Delaware, and for appointing Commissioners to receive, collect and recover certain Sums of Money heretofore raised by Way of Lottery, and to appropriate the same to the Purposes aforesaid.*"—"An Act to enable the Commissioners for paving the Streets of the City of Philadelphia to settle the Accounts of the Managers, and to sue for and recover from several Persons such Sums of Money as are now due and unpaid on account of the several Lotteries set up and drawn for paving the Streets of the said City."—And, "An Act to continue an Act, entituled, "*An Act for regulating and continuing the Nightly Watch, and enlightening the Streets, Lanes and Alleys of the City of Philadelphia, and for raising Money on the Inhabitants and Estates of the said City for defraying the necessary Expence thereof.*"—To which Bills his Honour had been pleased to give his Assent, by enacting the same into Laws.

It being represented to the House that the Barracks at Lancaster, for Want of a proper Person to superintend and take Charge of them, are much injured and abused by disorderly strolling People,

Resolved, That *James Webb*, Esq; be hereby impowered and appointed to supervise and take Care of the said Barracks, and that he do, with all convenient Speed, make out an Inventory of the Provincial Stores and Effects therein, to be laid before the Governor, and Board of Commissioners, as soon as the said Inventory shall be so made out.

The Members appointed to see the Great Seal affixed to the three Laws passed this Afternoon, reported, the same had been done according to Order, and the said Laws deposited in the Rolls Office.

The Committee of Accounts reported, that, in Pursuance of the Order of the House, they had examined the Accounts of the Commissioners for the *Pennsylvania* Frigate, referred to them; upon which they find, that the Monies appropriated by Law to the Support of the said Frigate have been applied by the said Commissioners accordingly, and that their Accounts are now balanced, and finally closed.

The House then taking into Consideration the Governor's Message of the Twentieth Instant, concerning the over Proportion of Sterling Money received by this Province, out of the Parliamentary Allotments to the *American* Colonies, and not having Leisure at present to state that Matter in a proper Light to the Governor, do earnestly recommend the same to the succeeding Assembly.

The Petitions of *Samuel Wallis*, *Charles Cowe* and *John Moore*, of the City of *Philadelphia*, lately presented to this House, are likewise recommended to the Consideration of the next Assembly.

Ordered, That the Trustees of the General Loan-Office do, within three Months next ensuing the Date of this Order, call in and discharge all the Provincial Notes outstanding, that Interest thereon be no longer paid by the Province.

The Report of the Committee of Accounts being then read, and considered, was allowed by the House, and is as follows, *viz.*

WE, the COMMITTEE appointed by the GENERAL ASSEMBLY of the Province of *Pennsylvania* to audit and settle the Accounts of the GENERAL LOAN-OFFICE, and other Public Accounts, to sink the Bills of Credit, pursuant to the late Paper-Money Acts, and to count all the Money, and report what Sum we should actually find in their Hands, REPORT,

THAT on the Thirtieth Day of September we counted the Money in the Hands of the Trustees, and found the Sum of £29,728 17 9

That it appears by a List of

Thirty-two Mortgages, there is
remaining outstanding on the
several Acts in Quotas, the

Sum of £ 1,553 0 0

And we find there are principal

Sums or Quotas outstanding
for Money let out on the Mort-
gages on the third Eighty
Thousand Pounds, and the first

Re-emission, the Sum of 10,646 10 0

£12,199 10 0

That the Trustees have Credit for Cash paid by them, viz.

June 14, 1762.

Paid John Hughes, Esq; for
transcribing the Books and
Papers in the Secretary's and
Surveyor General's Offices, per

Act of Assembly, £ 1,354 2 0

Sept. 27.

Paid Samuel Kirke, per Order,
as Serjeant at Arms,

10 0 0

Paid Andrew M'Nair, per Order,
as Door-keeper,

20 15 5

October 27.

Paid Edmund Woolley's Account
for Work done at the State-
house,

2 2 3

March 9, 1763.

Paid Charles Moore, as Clerk to
the Assembly,

188 15 0

Paid Isaac Norris,

Esq; for Edward

Cary's Account for

boarding and School-

ing D. Montour, ...£ 24 12 0

Paid Alexander Sage,

for Sundries for

Ditto, 0 8 0

25 0 0

Paid for sundry Prov-

incial Notes,—

Principal, £730 0 0

Interest, 97 12 11

827 12 11

Which Provincial Notes amount-
ing to Seven Hundred and
Thirty Pounds we have burnt.

To the Trustees Salary,	400	0	0	
	<hr/>			£ 2,828 7 7

THAT we have examined the Ac-
counts of Joseph Stretch, Col-
lector for the County of Phil-
adelphia, and find,

That he Credits the Province by
the Balance of Account, as
settled with the Committee
last Year, £ 631 7 1

By Amount of Excise from July,
1762, to July, 1763, 1,855 18 4

By sundry Retailers per Annum, 241 15 0

By one Moiety of Seizures, 46 5 0

£ 2,775 5 5

That he Charges the Province to
Cash paid the Provincial

Treasurer, £ 2,124 8 0

To his Commissions on
£2,078 3 0, at Five per Cent. 103 18 1

To Balance due to the Province, 546 19 4

£ 2,775 5 5

THAT we have examined the Ac-
counts of Charles Humphreys,
Collector of Excise for the
County of Chester, and find,

That he Credits the Province by
Balance of Account as settled
with the Committee in the
Year 1761, £ 91 3 6

By Amount of Excise from July
1761 to July 1762, 542 17 4

By sundry Retailers per Annum, 87 0 0

By a Moiety of Seizures, 13 0 0

By Amount of Excise from July
1762 to July 1763, 434 0 4

By sundry Retailers per Annum, 92 5 0

By Balance due to the Collector, 2 18 8

Credit Carried Over £ 1,263 4 10

Credit Brought Over	£ 1,263	4	10
That he Charges the Province to			
Cash paid the Provincial Treas-			
urer in the Year 1762,	547	10	1
To Ditto paid Ditto in the Year			
1763,	591	15	7
To Allowance of an insolvent			
Debt of James Wilson,	11	6	8
To his Commissions on			
£ 1,126 5 8, at Ten per Cent.	112	12	6
	<hr/>		
	£ 1,263	4	10

THAT we have examined the Accounts of John Jones, Collector of Excise for the County of Northampton, and find,

That he Credits the Province by			
Balance due as settled with			
the Committee last Year,	£	37	15 3
By Amount of Excise from 1762			
to 1763,	227	11	0
By sundry Retailers per Annum,	38	11	0
	<hr/>		
	£	03	17 3
			(sic)

That he Charges the Province to Cash paid the Provincial

Treasurer,	£	232	15 9
To his Commissions, at Ten per			
Cent.	23	5	6
To Balance due to the Province,	47	16	0
	<hr/>		
	£	303	17 3

THAT we have examined the Accounts of Joseph Hampton, Collector of Excise for the County of Bucks, and find,

That he Credits the Province by			
Balance as settled with the			
Committee last Year,	£	37	12 5
By Amount of Excise from July			
1762 to July 1763,	250	15	0
By sundry Retailers, at Three			
Pounds per Annum,	33	0	0
	<hr/>		
	£	321	7 5

That he Charges the Province to Cash paid the Provincial

Treasurer,	£	260	0 0
------------------	---	-----	-----

To his Commissions, at Ten per

Cent. 26 0 0

To Balance due to the Province, 35 7 5

£ 321 7 5

THAT we have examined the Accounts of James Webb, Collector of Excise for the County of Lancaster, and find,

That he Credits the Province by Balance as settled with the

Committee in the Year 1761, £ 418 8 2

By Amount of Excise from July

1761 to July 1762, 227 14 8

By sundry Retailers, at Three

Pounds per Annum, 216 12 6

By Amount of Excise from July

1762 to July 1763, 209 17 0

By sundry Retailers, at Three

Pounds per Annum, 267 10 0

£ 1,340 2 4

That he Charges the Province to

Cash paid the Provincial

Treasurer 1762, £ 456 0 0

To Ditto paid Ditto 1763, 405 0 0

To his Commissions, at Ten per

Cent. 86 2 0

To Balance due to the Province, 393 0 4

£ 1,340 2 4

THAT John Hughes Collector of Excise for the County of Berks, has exhibited Accounts for the Years 1762 and 1763, but has omitted the Account for the Year 1761; so that his Account cannot be settled. We find he has paid the Provincial Treasurer this Year the Sum of £ 241 0 0

THAT Thomas Minshall, Collector of Excise for the County of York, has not exhibited any Account: but we find he has paid the Provincial Treasurer the Sum of Forty-five Pounds this Year, £ 45 0 0

THAT we have examined the Accounts of Samuel Preston Moore, Provincial Treasurer, and find, That he Credits the Province on Account of the New Excise,

By Cash received of Joseph Stretch, Collector for the County of Philadelphia,	£ 2,124	8	0
Of Charles Humphreys, Collector for the County of Chester,	714	5	9½
Of James Webb, Collector for the County of Lancaster,	405	0	0
Of Joseph Hampton, Collector for the County of Bucks,	260	0	0
Of John Hughes, Collector for the County of Berks,	241	0	0
Of John Jones, Collector for the County of Northampton,	232	15	9
Of Thomas Minshall, Collector for the County of York,	45	0	0
	<hr/> £ 4,022 9 6½		

THAT he Charges the Province with Bills of Credit paid the the Committee, and by them burnt,

£ 3,830 18 8

To his Commissions, at Five per Cent.

191 10 10½

£ 4,022 9 6½

That he Credits the Province on Account of the Old Excise,

By Balance in his Hands as settled with the Committee

£ 464 13 10

By Cash received of Joseph Fox, Esq; as Trustee of Province Island,

99 8 0

£ 564 1 10

That he Charges the Province to Cash paid John Clare, per Order,

£ 13 10 0

To Ditto paid the Supervisors of Passyunk and Moyamensing, .

75 0 0

To his Commissioners, at Five per Cent,

4 8 6

To Balance due to the Province,

471 3 4

£ 564 1 10

THAT he Credits the Province
on Account of Duties and
Tonnage,

By Cash received of Enoch Story,

at sundry times, £ 1,510 0 0

By Balance in his Hands, as

settled last Year, 230 9 5

£ 1,740 9 5

That he Charges the Province
to Cash paid George Bryan, at
sundry times, £ 850 0 0

To Ditto paid Thomas James,

Ship's Purser, 13 0 0

To Ditto paid Daniel Rundle, at

sundry times, 819 4 1

To Commissions, at Ten Shil-

lings per Cent, 8 8 2

To Balance due to the Province,

49 17 2

£ 1,740 9 5

THAT he Credits the Province
on Account of Duties upon Im-
portation of Negroes,

By Cash received of Thomas

Coombe, as per Report last

Year, £ 1,855 18 0

By Ditto received of Ditto, 1,509 18 6

£ 3,365 16 6

That he Charges the Province
to Cash paid per Order of
Court to Daniel Richards, for

a Negroe (Joe) executed for

Burglary, £ 60 0 0

To Ditto paid the Executors of

John Philips, for a Negroe,

Ditto, 60 0 0

To Bills of Credit paid the Com-

mittee, and by them burnt, .. 2,200 18 0

To Commissions, at One Half per

Cent, on £ 2,320 18 0, 11 12 0

To Balance due to the Province,

1,033 6 6*

£ 3,365 16 6

THAT he Credits the Province,
on Account of the fifth Eight-
eenpenny Tax,

By Cash received of William Miller, Treasurer for Cumber- land County,	£ 110 7 9
By Ditto received of Abraham Chapman, Treasurer for Bucks County,	314 19 3
Carried to the Account of the sixth Eighteenpenny Tax,	£ 425 7 0

THAT he Credits the Province,
on Account of the sixth Eigh-
teenpenny Tax,

By Cash of Philip Syng, Treas- urer for the County of Phila- delphia,	£ 9,487 3 6
By Ditto of Humphrey Marshall, Treasurer for the County of Chester,	3,790 5 0
By Ditto of Matthias Slough, Treasurer for the County of Lancaster,	3,608 18 9
By Ditto, of Abraham Chapman, Treasurer for the County of Bucks,	2,022 2 0
By Ditto of Adam Johe, Treas- urer for the County of North- ampton,	950 0 0
By Ditto of John Blackburn, Treasurer for the County of York,	110 10 0
By Ditto of William Miller, Treasurer for the County of Cumberland,	506 3 7
By Amount of the Credit of the fifth Eighteenpenny Tax, as above,	425 7 0
	£20,900 9 10

That he Charges the Province to Cash paid Charles Norris, .	£20,830 16 6
To Commissions upon Two Thirds, at Five Shillings per Cent.	34 16 8

To Ditto upon One Third, at Ten

Shillings per Cent.	34 16 8	
		<u>£20,900 9 10</u>

WE do further Report, That the Provincial Treasurer has paid into the Hands of the Trustees of the General Loan-Office, as per Charles Norris's Receipts, viz.

Of the fifth Eight-penny Tax, .. £ 422 19 3

Of the sixth Eight-penny Tax, .. £20,407 17 3

£20,830 16 6

Deduct for sinking, at Five Shil-

lings per Hundred Pound, ... 52 1 6

£20,778 15 0

Which Sum of Twenty Thousand Seven Hundred and Seventy-eight Pounds Fifteen Shillings, in Bills of Credit, we the Committee have burnt.

THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees of the General Loan-Office, in Exchange Money, the Sum of, £ 4,655 4 9

Which Sum still remains in their Hands.

THAT it appears by the Report of the Committee last Year, there remained in the Hands of the Trustees, of the Money that was lent Colonel Hunter, the Sum of, £12,952 15 8

Which Sum of Twelve Thousand Nine Hundred and Fifty-two Pounds Fifteen Shillings and Eight-pence, in Bills of Credit we the Committee have burnt.

AND lastly, we do Report, that

it appears by the Report of the Committee, that there was burnt of Quota, for the Year

1761, the Sum of, £18,503 11 10

For the Year 1762, the Sum of, 15,488 4 10

And we have now burnt (Quota

Money) the Sum of, 22,248 5 6

£ 56,240 2 2

We submit these Accounts, with the others, to the Correction and Observation of the House.

Philadelphia, September 30, 1763.

JOSEPH FOX, SAMUEL RHOADS, JOHN MORTON,
JOHN HUGHES, JOHN WILKINSON, ISAAC PEARSON."

The several Certificates and Orders for Payment of the Members Wages, the Salaries of Officers, and other incidental Charges, being then read, allowed, and signed by Mr. Speaker, by Order,

The House rose.

**Note.* This Balance was carried at Settlement 1764 to the Account of the £24,000 granted to his Majesty by an Act passed 1763.

INCIDENTAL CHARGES.

TO the Honourable JAMES HAMILTON, Esq;			
Governor,	£	900	0 0
To Isaac Norris, Esq; for extraordinary			.
Services,		30	0 0
To Joseph Galloway, Esq; for extraordinary			
Services,		25	0 0
To the Members of Assembly, for their Attend-			
ance, as per List,		736	12 6
To William Allen, Esq; Chief Judge,		100	0 0
To Lawrence Crowdon, Esq; second Ditto,		100	0 0
To William Coleman, Esq; Third Ditto,		100	0 0
To Joseph Fox, Esq; for his Attendance on the			
Committee of public Accounts,		12	0 0
To John Hughes, Esq; for Ditto,		12	0 0
To Samuel Rhoads, Esq; for Ditto,		12	0 0
To John Wilkinson, Esq; for Ditto,		12	0 0
To John Morton, Esq; for Ditto,		12	0 0
To Isaac Pearson, Esq; for Ditto,		12	0 0
To Mr. Charles Moore, for his Attendance as			
Clerk of Assembly, and for transcribing and			
engrossing Bills, &c. &c.		174	14 0
To Messieurs Franklin and Hall, for their Ac-			
count of printing Laws, Votes, &c. &c.		88	16 6

To <i>Joseph Shippen</i> , Esq; his Salary as Clerk of the Council, and for his Account of Warrants, Certificates, &c.	22	17	6
To <i>Richard Hockley</i> , Esq; for affixing the Great Seal to Laws, &c. &c.	12	12	0
To Mr. <i>Edward Duffield</i> , for his Account of Services done,	76	14	1
To <i>Charles Brockden</i> , Esq; for his Account of Services,	21	6	5
To <i>Joseph Fox</i> , Esq; his Salary as Barrack-Master,	50	0	0
To <i>Samuel Kirke</i> , his Salary as Serjeant at Arms, &c.	11	15	0
To <i>Andrew M'Nair</i> , for his Attendance as Door-keeper, and other Services,	21	18	3
To <i>William Shed</i> , for summoning the Council, &c.	2	5	0
To <i>Benjamin Chew</i> , Esq; Attorney General, £200 for past Services, and £70 for the Current Year,	270	0	0
	<hr/>		
	£ 2,816	11	3

WE the Committee for incidental Charges have examined the above Accounts, and find them charged as usual.

ROWLAND EVANS,
GILES KNIGHT,
NATHANIEL PENNOCK,
EMANUEL CARPENTER."

Philadelphia, September 30, 1763.

At an ASSEMBLY held in Philadelphia, the Fourteenth Day of October, Anno Domini 1763, P. M.

October 14, 1763.

BY the Returns of the Sheriffs of the several Counties, it appears that the Following Gentlemen were duly elected to serve in Assembly, as Representatives of the Freemen of the Province of *Pennsylvania*, for the ensuing Year, viz.

For the County of

<i>Philadelphia.</i>	<i>Henry Krewsen,</i>	<i>John Douglass,</i>
<i>Isaac Norris,</i>	<i>Abraham Chapman,</i>	<i>Isaac Saunders.</i>
<i>Joseph Fox,</i>	<i>James Melvin,</i>	
<i>Joseph Galloway,</i>	<i>William Rodman.</i>	For the County of
<i>John Hughes,</i>		<i>York.</i>
<i>Rowland Evans,</i>	For the County of	<i>David M^cConnaughy,</i>
<i>John Dickinson,</i>	<i>Chester</i>	<i>John Blackburn.</i>
<i>Plunket Fleeson,</i>	<i>George Ashbridge,</i>	
<i>Joseph Richardson.</i>	<i>Joshua Ash,</i>	For the County of
	<i>Isaac Pearson,</i>	<i>Cumberland.</i>

For the City of

<i>Philadelphia</i>	<i>John Morton,</i>	<i>William Allen,</i>
<i>Benjamin Franklin,</i>	<i>Nathaniel Pennock,</i>	<i>John Montgomery.</i>
<i>Samuel Rhoads.</i>	<i>Isaac Wayne,</i>	For the County of
	<i>Charles Humphreys.</i>	<i>Berks.</i>

For the County of

<i>Bucks.</i>	For the County of	<i>John Ross.</i>
<i>Samuel Foulke,</i>	<i>Lancaster.</i>	For the County of
<i>Giles Knight,</i>	<i>Emanuel Carpenter,</i>	<i>Northampton.</i>
<i>William Smith,</i>	<i>James Wright,</i>	<i>John Tool.</i>
<i>Samuel Browne,</i>		

A Quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the Choice of a Speaker; when ISAAC NORRIS, Esq; was unanimously chosen Speaker of the House for the ensuing Year, and accordingly placed in the Chair.

Ordered, That Mr. Fox, Mr. Rhoads, Mr. Foulke, Mr. Ashbridge, Mr. Wright, Mr. McConnaughy, Mr. Ross and Mr. Tool be a Committee to wait on the Governor, and acquaint him, that, pursuant to the Charter and Laws of this Province, a Quorum of the Representatives being met, have proceeded to chuse a Speaker for the ensuing Year; and desire to know when his Honour will be pleased to receive the House, in order that they may present their Speaker for his Approbation.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 15, 1763.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be in the Council Chamber at Twelve o'Clock To-day, to receive the House with their Speaker.

A Message by Mr. Secretary:

SIR,

"The Governor attends his Appointment in the Council Chamber, to receive the House with their Speaker."

Then Mr. Speaker, with the whole House, waited on the Governor; and being returned, the Speaker resumed the Chair, and reported, that the House had waited on the Governor, and presented their Speaker; of whom his Honour had been pleased to express his Approbation; and that the Speaker had then, in the Name and on Behalf of the House, claimed the usual Privileges, *viz.*

First, That the better to discharge the Business of the Public, they may, at all seasonable Times, have free Access to the Governor.

Secondly, That their Persons may be protected from all Arrests and Insults, during the Time of Privilege accustomed.

Thirdly, That it may please the Governor to take no Notice of any Report that may be made, touching any Matter or Thing that may be moved or debated in the House, until the same shall have passed into Resolves, nor give the least Credit to such Report.

Fourthly, That his own (the Speaker's) unwilling Mistakes may be excused, and not imputed to the House.

All which he had requested as the Rights and Privileges of the Representatives of the Freemen of *Pennsylvania*, derived and confirmed to them by the Charters and Laws of the Province; and that the Governor was pleased to say, "They were inherent in the Representative Body, and they might always depend on his Protection therein."

A Copy of the Qualification appointed by Law to be taken by Members of Assembly, and the Test of Abjuration, being prepared as usual, the same were then taken and subscribed, first by Mr. Speaker in the Chair, and afterwards at the Table by the Members present, in their Order.

Resolved, That *Charles Moore* be Clerk of this House for the ensuing Year; and he took and subscribed the usual Qualification accordingly.

Resolved, That *Samuel Kirke* be Serjeant at Arms to this House for the ensuing Year.

Resolved, That *Andrew M'Nair* be Door-keeper to this House for the ensuing Year.

Resolved, That *Samuel Preston Moore*, Esq; be Treasurer of this Province for the ensuing Year.

Resolved, That *Richard Jackson*, Esq; of the Inner Temple, be, and he is, hereby continued Agent for the Province of *Pennsylvania*, to solicit and transact the Affairs thereof at

the Court of *Great-Britain*, for the ensuing Year; and that the said Gentleman be allowed, for his Services as aforesaid, the Sum of *Two Hundred Pounds Sterling per Annum*.

Resolved, That Mr. *Fox*, Mr. *Galloway*, Mr. *Hughes* and Mr. *Dickinson* be a Committee of Correspondence for the ensuing Year.

Resolved, That Mr. *Fox*, Mr. *Rhoads*, Mr. *Knight*, Mr. *Ashbridge*, Mr. *Douglass*, Mr. *McConnaughy*, Mr. *Ross* and Mr. *Tool* be a Committee of Aggrievances for the ensuing Year; and that they have full Power and Authority to send for Persons, Papers and Records.

Resolved, That Mr. *Fox*, Mr. *Hughes*, Mr. *Richardson*, Mr. *Rhoads*, Mr. *Knight*, Mr. *Morton*, Mr. *Pearson* and Mr. *Ross* be a Committee to audit and settle the Accounts of the General Loan-Office, and other public Accounts, and to sink and destroy the Bills of Credit received in Exchange, pursuant to the several Paper Money Acts, and to count all the Monies, and report, together with the said Accounts, the Sum they shall actually find in the Trustees Hands; and they have full Power and Authority to send for Persons, Papers and Records.

Resolved, That Mr. *Fox* and Mr. *Dickinson*, with the Speaker, be a Committee to revise and correct the Minutes of this House, before they are printed.

The Governor, by Mr. Secretary, sent down to the House a written Message, which was read by Order, and follows in these Words, *viz.*

GENTLEMEN,

'OBSERVING, by the Returns which have been made to me, that your House consists, for the most Part, of the same Members that have served in Assembly for several Years past. I cannot but express my Satisfaction, that in the present critical Situation of Affairs, the Business to be transacted by me, is with Gentlemen whose long Experience in public Concerns has rendered them so equal to the Task they have undertaken.

'I am sensible it is very unusual to enter upon Business of Weight at your first Meeting, that being set apart for, and employed in, preparing the House for the better Reception and Dispatch of it at some future Time; yet I flatter myself you will readily dispense with a Custom, by no Means essential, in Favour of the Measure I have to recommend to you, which is of as great Importance as can come under your Consideration; no less indeed than the Safety and Preservation of the Country.

'You will be pleased then to know that, within a few Days past, I have received well attested Accounts of many barbarous and shocking Murders, and other Depredations, having been committed by *Indians* on the Inhabitants of *Northampton* County; in Consequence whereof, great Numbers of those who escaped the Rage of the Enemy have already deserted, and are daily deserting, their Habitations; so that, unless some effectual Aid can be speedily granted them, to induce them to stand their Ground, it is difficult to say where these Desertions will stop, or to how small a Distance from the Capital our Frontiers may be reduced.

'The Provincial Commissioners and I have, in Consequence of the Resolve of Assembly of the Sixth of *July* last, done every Thing in our Power for the Protection of the Province, pursuant to the Trust reposed in us; but as our Funds are entirely exhausted, and even a considerable Arrear become due to the Soldiers, and others employed by the Government, for their Pay, which we have it not in our Power to discharge, it seems impossible that the Forces now on Foot can be longer kept together, without a Supply is speedily granted for that Purpose.

'I therefore, Gentlemen, in the most earnest Manner, recommend to your immediate Consideration the distressed State of our unfortunate Inhabitants on the Frontiers, who are continually exposed to the savage Cruelty of a merciless Enemy, and request that you will, in your present Session, grant such a Supply as, with God's Assistance, may enable us not only to protect our own People, but to take a severe Revenge on our perfidious Foes, by pursuing them into their own Country, for which Purpose there prevails at present a noble Ardour among our Frontier People, which, in my Opinion, ought by all Means to be cherished and improved.

'I have, Gentlemen, only one Thing more to recommend and request of you, which is, that in contriving the Ways and Means for raising the Supply to be granted, you will carefully avoid whatever may occasion a Disagreement in Opinion between you and me, by Means whereof your good Intentions may be frustrated and defeated, as has unfortunately happened on more than one Occasion before, and particularly in the last Session of the late Assembly.

October 15, 1763.

JAMES HAMILTON."

The Rules of the House being read, as customary, were agreed to, with the following additional Resolves, for better regulating the Members Attendance, *viz.*

Resolved, That every Member absent at any Meeting of this

House, be liable to be sent for, at the Discretion of the Members present, by the Serjeant at Arms, at the Expence of such absent Member.

Resolved, That such Members as do not appear in the House within Half an Hour after the Bell ceases to ring in the Fore and Afternoon, shall pay *One Shilling*; but if a Quorum be not present at the same Time, then each absent Member shall pay *Two Shillings* and *Eight-pence* for every Hour's absence after, unless he can shew Cause to the Satisfaction of the House, for the same, which shall be determined by an immediate Vote.

Resolved, That Mr. *Richardson* be, and he is hereby appointed and empowered to collect and receive the Fines incurred as above, for the Use of the *Pennsylvania* Hospital.

Then the House adjourned to *Monday* next, at Three o'Clock in the Afternoon.

October 17, 1763.

The House met, pursuant to Adjournment, and the Governor's Message of *Saturday* last being again read by Order, after some Debate thereon, the further Consideration of the same was referred to Ten o'Clock To-morrow Morning.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 18, 1763.

The House met, and adjourned to Three o'Clock, *P. M.*

Mr. *Galloway*, Mr. *Smith* and Mr. *Browne*, this Day appearing in the House for the first time since their Election, were qualified as usual, and took their Seats accordingly.

The House resumed the Consideration of the Governor's Message of *Saturday* last, and after some Debate thereon.

Resolved, That the Sum of *Twenty-four Thousand Pounds* be given and granted to his Majesty, for raising, paying and victualling Eight Hundred Men (Officers included) to be employed in the most effectual Manner for the Defence of this Province, till the First Day of *December* next, and for other Purposes for his Majesty's Service.

Resolved, That the Sum of *Twenty-four Thousand Pounds*, granted to his Majesty by the foregoing Resolve, be taken from the under-mentioned Funds, in the following Proportions, *viz.* *Twelve Thousand Pounds* from the Residue of the Parliamentary Allotments, in the Hands of the Trustees of the General Loan-Office;—*Seven Thousand Pounds* from the Sum granted by Act of Assembly for the Defence of the City of *Philadelphia*;—*One Thousand Pounds*, now in the Hands of the Provincial Treasurer, arising from the Duty upon *Negroes*

and Mulattoe Slaves imported into this Province; and *Four Thousand Pounds* from the Fund for carrying on a Trade with the Northern and Western *Indians*.

Resolved, That the present Stock of Goods and Merchandise in the Hands of the Commissioners for *Indian Affairs*, be within Eighteen Months from the Date hereof, put to Sale by the said Commissioners, and converted into Cash, *Four Thousand Pounds* whereof to be applied as above directed, and the Remainder by Act of General Assembly of this Province.

Resolved, That the Sum of *Seven Thousand Pounds*, to be taken from the Money granted for the Protection of the City, be raised, and replaced by an Extension of the Excise upon Wine, Rum, Brandy and other Spirituous Liquors imported into this Province.

Ordered, That Mr. Fox, Mr. Galloway, Mr. Dickinson, Mr. Rhoads, Mr. Morton, Mr. Foulke and Mr. Wright be a Committee to prepare and bring in a Bill for granting to his Majesty the Sum of *Twenty-four Thousand Pounds*, for raising, paying and victualling Eight Hundred Men (Officers included) and for other Purposes for his Majesty's Service.

Upon Representation by the Provincial Commissioners, that great Mischiefs have lately arisen to the Inhabitants of this Province, from the Sale of Gunpowder and Lead to *Indians*, and other ill disposed Persons therein,

Ordered, That the above-named Committee do also prepare and bring in a Bill for prohibiting the Sale of Gunpowder, and other Ammunition, to *Indians* within this Province.

Then the House adjourned to Three o'Clock To-morrow Afternoon.

October 19, 1763.

The Committee appointed to prepare and bring in a Bill for granting to his Majesty the Sum of *Twenty-four Thousand Pounds*, &c. reported they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table, for a second Reading.

The Committee appointed to prepare and bring in a Bill to prohibit the selling of Guns, Gunpowder, &c. to the *Indians*, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read the first time, was ordered to lie on the Table for a second Reading.

A Bill for regulating the Officers and Soldiers in the Pay of this Province, being presented to the Chair by a Member, the same was read the first time, and ordered to lie on the Table for a second Reading.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 20, 1763.

The House resumed the Consideration of the Bill for granting to his Majesty the Sum of *Twenty-four thousand Pounds*, for the Defence and Protection of this Province, and for other Purposes therein mentioned, which being read through the second time, and debated by Paragraphs, was ordered to be transcribed, for a third Reading.

Then the House adjourned to Five o'Clock, *P. M.*

The House resumed the Consideration of the Bills for prohibiting the selling of Guns, Gunpowder, and other warlike Stores, to the *Indians*; and for regulating the Officers and Soldiers in the Pay of this Province, which being read the second time, and debated by Paragraphs, were ordered to be transcribed, for a third Reading.

The Governor, by Mr. Secretary, laid before the House a Letter from his Excellency Sir *Jeffery Amherst*, inclosing some *Indian* Intelligence received from Sir *William Johnson*, which were severally read by Order, and are as they respectively follow, *viz.*

S I R,

New-York, October 16, 1763.

I HEREWITH inclose you a Paragraph of a Letter which I received last Night from Sir *William Johnson*, containing some Intelligence of the bad Intentions of the Savages on the Frontiers of *Pennsylvania*, &c. and I acquaint Colonel *Bouquet* thereof, that he may be on his Guard; but I cannot help repeating my Surprize at the Infatuation of the People in your Province, who tamely look on while their Brethern are butchered by the Savages, when, without Doubt, it is in their Power, by exerting a proper Spirit, not only to protect the Settlements, but to punish any *Indians* that are hardy enough to disturb them. I am, with great Regard,

SIR, Your most obedient humble Servant,

JEFFERY AMHERST."

Extract of a Letter from SIR WILLIAM JOHNSON, to his Excellency SIR JEFFERY AMHERST, dated at Johnson-Hall, the Sixth of October, 1763.

THIS Morning a *Seneca* Chief of *Canadasegey*, the first Castle of that Nation, and which has not been concerned in any of the Hostilities, arrived here, and gives me the following Information, which he had from a Party of Warriors, just returned with some Scalps and Prisoners from the *Cherokee*

Country, viz. "That on their Way Home they met a large Body of several Nations, assembled at a Village of *Delawares*, on the River *Adjuketa*, which empties into *Muskingam*, or *Elk* River, where they saw the *Ottawawa* Confederacy deliver the War Hatchet, Bow and Arrows, to the *Delawares*, and desire they would use the same with Vigour against the *English*, who were about taking away their Country: That they then pointed out the Forts, *Pitt* and *Augusta*, as the greatest Eyesores to the *Indians* in those Parts; therefore desired they would lose no Time in distressing and attacking them, on which they would all join in a Body, and proceed towards *Philadelphia*: That while the *Delawares* were engaged in that Affair, they, the *Ottawas*, *Twightwees*, *Hurons*, &c. would demolish *Detroit* and *Niagara*. The *Delawares* thanked them for looking upon them now as Men, and told them they would, by their Actions, shew them they were worthy of the Confidence reposed in them. After which the *Huron* Speaker addressed the *Shawanese*, and warmly reprimanded them for their Backwardness, in spending their Time hitherto so idly in Treaties and Conferences with the *English*; to prevent which, they, the *Ottawawa* Confederacy, plucked the Horns from their Heads, (i. e. removed every Thing but War from the Thoughts of their Sachems) and made them become Warriors, desiring they would exert themselves in Conjunction with the *Delawares*; to which they agreed."

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 21, 1763.

The House having had Information that several Robberies have been lately attempted, and some committed, within small Distances of the City, on the public Roads and Highways; and being apprehensive that such Practice may become frequent, and more dangerous to the Inhabitants, if not early discouraged and suppressed.

Resolved, That the Sum of *Fifty Pounds* be given by this House, as a Reward for apprehending each or any of the Persons convicted of the said Robberies; and that the Governor be requested to make Proclamation thereof, if he shall judge the same necessary.

The Bills for granting *Twenty-four Thousand Pounds* to his Majesty, &c.—for prohibiting the Selling of Guns, Gunpowder, or other Warlike Stores, to the *Indians*;— and for regulating the Officers and Soliders in the Pay of this Province, being transcribed, according to Order, were severally read the third time, and compared at the Table.

Resolved, That the said Bills do pass.

Ordered, That Mr. *Fox* and Mr. *Richardson* wait on the Governor therewith, for his Assent to the same; and acquaint him with the Resolve of the House, concerning Persons convicted of the late Robberies.

A Petition from *George Gibson*, of *Allen Township*, in the County of *Northampton*, was presented to the House and read, setting forth, that by endeavouring to bring *Lewis Olutz*, a Magistrate of the said County, to Justice, for a capital Offence, he has been much injured, and put under great Difficulties, by vexatious Suits commenced against him by the said *Olutz*, and cannot obtain Justice, or make his Defence, for Want of Subpoenas to collect his Evidences, which have been refused him by most of the Magistrates of the County aforesaid; and therefore prays the House would grant him Citations for that Purpose. *Ordered to lie on the Table.*

Then the House adjourned to Three o'Clock, *P. M.*

The Members appointed to wait on the Governor with three Bills passed by the House in the Forenoon, and to acquaint him with their Vote of *Fifty Pounds* Reward, for apprehending any Person concerned in the late Robberies, reported, they had done the same according to Order, and that his Honour was pleased to say, he would take the said Bills into immediate Consideration, and give them all the Dispatch in his Power; also, that if he should find it necessary, he would make Proclamation of the Reward offered by the House for the Purpose above-mentioned.

Upon Motion, the Petition of *George Gibson* was again read, and, after some Debate thereon, referred to the Committee of Aggrievances, with Instructions to enquire into the Facts, and report thereon to the House.

It being represented to the House by the Provincial Commissioners, that upon Enquiry made before the Governor into the late Conduct of the *Moravians*, and their *Indians*, at *Nain* and *Wichetunk*, it was their Opinion that the said *Indians* have been, and still are, secretly supplied by the *Brethren* with Arms and Ammunition, which they the said *Indians* having an Intercourse with our Enemies on the Frontiers, do barter and exchange with them, to the great Danger of the neighbouring Inhabitants; and that there is much Reason to suspect the said *Moravian Indians* have also been principally concerned in the late Murders committed near *Bethlehem*, in the County of *Northampton*, which renders it absolutely necessary to remove them into the interior Parts of the Province,

where their Behaviour may be more closely observed—After some Consideration and Debate it was

Resolved, That it is the Opinion of this House, that such of the said *Moravian Indians* as are willing and desirous, from their Attachment to the Government, or Regard for their own Safety, to be removed to the interior Parts of the Province, be immediately invited and encouraged by the Governor and Commissioners, to come down to such Places among the Inhabitants as his Honour and the Board may judge most safe and convenient for them; and that the Expence of such Removal, and the Support of the said *Indians*, while it shall be necessary, be defrayed by the Government.

Then the House adjourned to Ten o'Clock To-morrow Morning.

October 22, 1763.

The Governor, by Mr. Secretary, returned the three Bills sent up Yesterday for his Concurrence, and acquainted the House, that he should be ready to pass the same whenever presented to him for that Purpose.

The Secretary being withdrawn, it was agreed, upon the Question, that the House will attend his Honour, if it suits him, at Half after Twelve o'Clock this Day, to pass the said Bills into Laws, of which the Secretary was desired to give Notice to the Governor.

Ordered, That Mr. Fox and Mr. Ross see the Great Seal affixed to the said Bills after they shall be enacted into Laws, and deposit the same in the Rolls Office.

A Member then presented to the Chair a Draught of a Message to the Governor, in Answer to Sir Jeffery Amherst's Letter of the 16th Instant, sent down to the House on *Thursday* last, which Message being read by Order, and considered, was agreed to by the House, and ordered to be transcribed.

The House taking into Consideration the Time of Adjournment, it was agreed upon the Question, that the same be fixed to *Monday* the Sixteenth of *January* next, and that Mr. Speaker acquaint the Governor therewith, when the House shall wait on him, to enact into Laws the Bills returned with his Assent.

A Message by Mr. Secretary:

SIR,

"The Governor requires the Attendance of Mr. Speaker, and the House, in the Council Chamber."

Then Mr. Speaker, with the whole House, waited on the Governor in the Council Chamber; and being returned, the Speaker resumed the Chair, and reported, that the House had

waited on the Governor, and presented three Bills, respectively entitled as follows, viz. "*An Act for granting to his Majesty the Sum of Twenty-four Thousand Pounds, for the Defence and Protection of this Province, and for other Purposes therein mentioned.*"—"An Act for regulating the Officers and Soldiers in the Pay of this Province."—And, "*An Act to prohibit the Selling of Guns, Gunpowder, or other Warlike Stores, to the Indians.*" To which said Bills his Honour had been pleased to give his Assent, by enacting the same into Laws.—Mr. Speaker also reported, that he had then acquainted the Governor with the Resolution of the House to adjourn to Monday the Sixteenth of January next, to which he was pleased to say he had no Objection.

Ordered, That the Law this Day passed, entitled, "*An Act to prohibit the Selling of Guns, Gunpowder, or other Warlike Stores, to the Indians,*" be immediately printed in the public News-Papers, both *English* and *Dutch*.

Ordered, That the Superintendants of the State-house prepare a Plan for laying out the Square behind the same in proper Walks, to be planted with suitable Trees for Shade, and that the said Plan be laid before the Assembly, at their next Meeting.

Ordered, That the Superintendants do also give Orders for repairing a Leak in the said House, the Expence whereof shall be defrayed by the Assembly.

The Message of the House to the Governor being transcribed, according to Order, was again read at the Table, signed by Mr. Speaker, and follows in these Words, viz.

May it please your HONOUR,

WE return you our Thanks for laying before us the Letter you have received from Sir *Jeffery Amherst*, of the Sixteenth of this Instant, with the Intelligence inclosed therein from Sir *William Johnson*, respecting the bad Intentions of the Savages against our Frontiers: For this Intelligence we are likewise obliged to his Excellency; but at the same Time we are greatly at a Loss how to understand the Meaning or Design of that Part of his Letter, wherein he expresses his "Surprize at the Infatuation of the People of this Province, who (he alleges) tamely look on, while their Brethren are butchered by the Savages, when, without Doubt, it is in their Power, by exerting a proper Spirit, not only to protect the Settlements, but to punish any *Indians* that are hardy enough to disturb them."—Can it be possible that the General is, at this Day, unacquainted with the vigorous Measures which this Government has pursued, much beyond any of the rest of

the Colonies, for the Protection and Defence of their long extended Frontier?

Your Honour well knows, that on the Eleventh of *June* last you convened the Provincial Commissioners, who chearfully agreed to raise an Hundred Men for the Reinforcement of Fort *Augusta*, a Garrison on *Susquehanna*, then but weakly manned, and a Post of great Importance to the Provincial Defence.

On the Fourth of *July* the Assembly met, in Pursuance of your Summons, when you laid before them the Necessity of an additional Number of Men, to repel the savage Attempts of those Barbarians; and that in Pursuance of a Letter from the General, which you also communicated to them, with equal Chearfulness and Expedition they granted the additional Number of Seven Hundred Men, and passed a Law for furnishing Carriages for the Transportation of Provisions for the Use of the Troops destined for the Western Communication.

These Troops so granted were accordingly raised with the utmost Expedition, and they have been, as we are informed, placed at proper Stations on the Frontiers, under your Command, and been active since in the Protection thereof, and that with more Vigour and Spirit than has been known or experienced the whole late War: Several Parties of *Indians* have been intercepted and repulsed, and the Inhabitants in a great Measure preserved from the intended Massacres, and a large Body of them now engaged in an Expedition against the *Great Island*, which has heretofore served as a Station, from whence the Savages usually issue for the Annoyance of our Settlements

As these Things are Facts, we cannot help, in our Turn, being much surprized at the Censure contained in his Excellency's Letter, by which it is evidently intimated, that the good People of this Province are utterly regardless of the Distress of their Fellow-Subjects, and "*tamely look on while they are butchered by the Savages.*"—A hard Censure this!--but for what Part of the Government it was intended, is not clear from the Letter.—If intended for your Honour, we have Reason to believe you have done every Thing, as Commander in Chief of the Forces, that could be expected:—If for this Part of the Legislature, the large Number of Men in the Pay of this Government, at a Time when the Province is loaded with a Debt extremely burdensome, occasioned by their late generous and large Aids to the Crown for the Protection of the Colonies during the late War, will evidently shew it is

without Foundation:—And if for the poor People on our Frontiers, their present distressed Situation, and the uncommon military Spirit and Resolution, so manifest among them ever since the late *Indian* Incursions, ought at least to have excused them from it.

But the General is of Opinion, that “it is in our Power, by exerting a proper Spirit, not only to protect the Settlements, but to punish any *Indians* that are hardy enough to disturb them.” Would he give himself the Liberty of one Moment’s Reflection on our Circumstances, must he not see the Injustice as well as Impracticability of our defending a Frontier, near Three Hundred Miles in Length, which covers and protects, in a great Measure, those of *Maryland* and *New-Jersey*, without the least Contribution or Aid from either of those Colonies?—Is it reasonable that this Province, already heavily loaded with Debt, should be at the sole Expence of defending, not only her own Frontiers, but so great a Part of those of her neighbouring Colonies? And is it not evidently impossible, that this young Colony, against whom the *Indian* Force has been principally aimed, should alone, without any Assistance from the rest of the Provinces, defend a Frontier so extensive, against all the lurking and perfidious Parties of so powerful a Confederacy as is mentioned in the General’s Intelligence?

You, Sir, are well acquainted with the Circumstances of the Province, and its present Distress, and therefore we presume you readily see how vain the Expectation must prove, that any one particular Colony can defend itself against the united Power of so many confederated Nations.

Signed by Order of the House,

October 22, 1763.

ISAAC NORRIS, *Speaker*.”

Ordered, That Mr. *Rhoads* and Mr. *Richardson* wait on the Governor, and deliver the foregoing Message.

The Members appointed to see the Great Seal affixed to the three Laws passed this Afternoon, reported they had done the same according to Order, and deposited the said Laws in the Rolls Office.

Then the House adjourned to *Monday*, the Sixteenth of *January* next, at Four o’Clock in the Afternoon.

December 19, 1763.

THE Representatives of the Province having been, by Virtue of the Governor’s Writs to the Sheriffs of the several Counties for that Purpose directed, summoned to meet him this Day in Assembly, a Quorum met accordingly.

Ordered, That Mr. *Rhoads* and Mr. *Richardson* wait on the

Governor, and acquaint him, that a House being met, pursuant to his Summons, are ready to receive any Business he may be pleased to lay before them; and desire to be furnished with a Copy of the Writ by which they have been convened.

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 20, 1763.

The Members appointed to wait on the Governor with the Message of last Night, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would order the Secretary to lay before the House a Copy of the Writ by which he had called them, and should himself meet the House, in the Council Chamber, at Twelve o'Clock this Day.

The Governor, by Mr. Secretary, sent down a Copy of the said Writ accordingly, and acquainted the House, that he required their Attendance in the Council Chamber.

Then Mr. Speaker, with the whole House, waited on his Honour, and being returned, the Speaker resumed the Chair, and reported, that the Governor had been pleased to make a Speech to the House, a Copy of which had been delivered to him, together with two Letters from Sir *Jeffery Amherst*, and a third from General *Gage*; which Speech and Letters were severally read by Order, and are as they respectively follow, *viz.*

Mr. Speaker, and Gentlemen of the Assembly,

'NOTHING but my indispensable Duty to his Majesty, and a sincere Desire to promote the Welfare and Happiness of the Good People of this Government (to which the honourable the Proprietaries, with the King's Royal Approbation, have been lately pleased to appoint me) could have prevailed on me to call you together, before the Time of your Adjournment, as I presume you had considered and fixed upon that as the most convenient to your domestic Affairs; but I am persuaded, the same Motives which have influenced me on this Occasion, will induce you chearfully to prefer the necessary Service of the Public to all private Considerations.

'I am to inform you, Gentlemen, that very soon after my Arrival I received a Letter from Sir *Jeffery Amherst*, designed at first for my immediate Predecessor, Mr. *Hamilton* but (on Notice of my having taken upon me the Government) enclosed to me, in which he requests that I would use my Influence with the Council, and Assembly of this Province, to raise One Thousand Men, exclusive of commissioned Officers, to be divided into two Corps of ten Companies each, commanded by

their proper Field Officers; and that it will be necessary the Whole should be raised, and ready to join the King's Troops, or to be sent on such Services as the Commanding Officer in the Southern District may direct, by the First of *March* next, and the Time of their Service limited to the First of *November* following; though he hopes every Thing may be finished long before that Period, in which Case the Troops will be sent back to the Province.—You will see by the Letter, which I have ordered to be laid before you, that the General undertakes to furnish the Men that shall take the Field, with Tents, Provisions and Arms, at the King's Expence. All therefore that is desired of us, is to make Provision for their Pay, and to find them in Cloathing, which may consist of a short Jacket, Flannel Waistcoat, Leggings, &c.—You will also be informed by the said Letter, that the General hath made Applications to the Provinces of *New-York* and *New-Jersey*, and to the Colony of *Virginia*, for certain Quotas of Men, to act in Conjunction with the King's Troops offensively against the *Indians*; the former by the Way of *Lake Erie*, &c. the latter in Concert with ours, against the *Delawares*, *Shawanese*, and other Tribes, who have committed Hostilities against us. These Measures he judges to be the most probable for crushing the present Insurrections of the *Indians*, and the most effectual for reducing them, and securing Peace and Quiet to the Settlements hereafter. This Requisition hath been since warmly renewed by General *Gage*, who hath lately succeeded to the Chief Command of his Majesty's Forces in *North-America*.

Gentlemen,

'Every Man who is acquainted with the great Extent of Frontier of this and the neighbouring Colonies, and considers the Manner in which the *Indians* make War, must see the Disadvantages each particular Province must labour under, in endeavouring singly to defend its own Settlements, and that nothing but a vigorous Exertion of the united Strength of the Whole, and carrying the War into the Enemies Country, can effectually secure our back Inhabitants from the barbarous Inroads of the Savages, or is so likely to reduce them speedily to hearken to reasonable Terms of Accommodation.

'I do therefore most heartily recommend this Matter to your Consideration, and doubt not, from your known Zeal for the King's Service in general, and your Regard for the Safety of this Province in particular, you will comply with a Demand which may be attended with such happy Effects to both,

Gentlemen,

'I with Pleasure take this first Opportunity of speaking to you as a Body, to acquaint you, that I have it in Charge from the Proprietaries, to assure you of their paternal Regard and Affection for the good People of this Province, and that they wish for nothing more than to promote their real Happiness.—As to myself, I can with great Truth say, that I am most sincerely disposed to do every Thing in my Power, that may tend to the Advantage and Prosperity of the Province, and to cultivate and improve that Harmony and good Understanding with this, and all future Assemblies, during my Administration, which is so essentially necessary to the public Good, as well as to the Ease and Happiness of the several Branches of the Legislature.

JOHN PENN."

*LETTER from his Excellency Sir JEFFERY AMHERST,
to his Honour Governor HAMILTON.*

SIR,

New-York, November 5, 1763.

ON a due Consideration of the most probable Measures for crushing the present Insurrection of the *Indians*, and punishing the Guilty as they deserve, I find it absolutely necessary to make Application to the Provinces most nearly concerned, that a respectable Body of Men may be raised, so as to proceed early in the Spring, in Conjunction with such Regular Troops as can be collected, to put in Execution such offensive Operations as may be judged most effectual for reducing the Savages, and securing Peace and Quiet to the Settlements hereafter.

In Consequence of this Plan, I have made Application to the Provinces of *New-York* and *Jersey*, for certain Quotas of Men to be raised, so as to be ready to proceed to *Albany* by the First of *March* next, in order to join with such of the Regular Troops as can be spared for carrying on offensive Operations by the Way of *Lake Erie*, &c.—And, that the whole Race of *Indians* who have so unjustly commenced, and are still carrying on, Hostilities against us, may be effectually reduced, and severely punished, which alone can secure the future Tranquillity of the several Colonies, I must apply to the Province of *Pennsylvania*, and Colony of *Virginia*, for their Assistance on the Occasion, by raising Men to act against the *Delawares*, *Shawanese*, and other Tribes on that Side, who have committed Hostilities; and I trust, the Requisition I am now to lay before you, will not only meet with a proper Re-

ception, but that you will be pleased to enforce the same to your Council and Assembly, backed with such Arguments (if any Arguments can be necessary on such an Occasion) as will at once remove every Obstacle that could be started to a Compliance therewith.

The Proportion I must demand from your Province is One Thousand Men, exclusive of commissioned Officers, to be divided into two Corps of ten Companies each, commanded by their proper Field Officers, and each Company to consist of a Captain, two Subalterns and Fifty Men, including three Serjeants, and three Corporals; for the Service on which they will be employed requires that there should be a good many Officers: The Men to be clothed, but in a light Manner; a Cloth Jacket, Flannel Waistcoat, Leggings, &c. will be full sufficient; and it will be necessary that the Whole are raised, and ready to join the King's Troops, or to be sent on such Service as the Commanding Officer in the Southern District may direct, by the First of *March* next.

Particular Care should be taken that, in recruiting the Men, none should be raised but such as are able-bodied, neither too young or too old, but fit for the most active and alert Service.

Although, by an Order from Home, the regular Troops are subject to a Stoppage for the Provisions issued to them belonging to the Crown, yet, upon this Occasion, I will take upon me to order Provisions to the Provincial Troops that shall be raised and take the Field; and they shall likewise be provided with Arms, unless any of them chuse to bring their own Arms, for which they shall have the same Allowance as was made in former Campaigns, should any of them be lost or damaged in actual Service; Tents will also be furnished to them, as formerly.

The Time of Service may be limited to the First of *November*, although it is much to be hoped every Thing will be finished long before that Period; in which Case the Men will be sent back to the Province. I am, with great Regard,

SIR, Your most obedient humble Servant,
JEFF. AMHERST."

His EXCELLENCY's second Letter.

SIR, *New-York, November 5, 1763.*

JUST as I had sealed the Inclosed, and delivered it to an Officer returning to *Philadelphia*, I received the Favour of your Letter of the third Instant, acquainting me of your Arrival at,

and Appointment to, the Government of *Pennsylvania*, on which I beg Leave to congratulate you.

The Contents of the Inclosed will shew you, that an Exertion of the Power with which you are vested, and which you are so obliging as to offer, for forwarding the King's Service, will be immediately wanted, and I trust, by your Influence, the Province of *Pennsylvania* will chearfully and readily lend the Assistance demanded for subduing and punishing the Barbarians, who have so unjustly attacked our Settlements, and butchered the Inhabitants. I am, with great Regard,

SIR, Your most obedient humble Servant,

To the Honourable Governor Penn.

JEFF. AMHERST."

Letter from General GAGE to the GOVERNOR.

SIR,

New-York, December 12, 1763.

I AM to hope Sir *Jeffery Amherst's* Departure from *America* will make no Alteration in respect of the Requisition he made, in his Letter of the Fifth of *November*, from the Province of *Pennsylvania*, of a Body of One Thousand Men, for the Service of the next Year; but as I have succeeded Sir *Jeffery Amherst* in the Command of his Majesty's Forces in *North-America*, it behoves me to neglect nothing which might promote a Service so essential to the future Interest and Happiness of all the Colonies; and therefore I think proper to make a fresh Application to you on this Subject, trusting that the Requisition will not only meet with your Approbation, but that the Necessity of the Service for which this Aid is demanded is so apparent, that it will meet with a favourable Reception from your Council and Assembly, and that we shall be thereby enabled to reduce the Savages to a Peace which shall be sure and lasting.

Every Thing which Sir *Jeffery Amherst* promised, respecting the Victualling the Troops, and providing them with Arms and Tents, shall be complied with. I am, with great Regard,

SIR, Your most obedient humble Servant,

THOMAS GAGE."

To the Honourable Governor PENN.

Then the House adjourned to Four o'Clock, *P. M.*

Mr. *Franklin* and Mr. *Blackburn* this Day appearing in the House, for the first time since their Election, were qualified as usual, and took their Seats accordingly.

The House resumed the Consideration of the Governor's Speech of this Morning, which was again read by Order, and,

after some Debate thereon, they adjourned to Ten o'Clock Tomorrow Morning.

The House resumed the Consideration of the Governor's Speech, which being again read by Order, the further Consideration thereof was referred to the Afternoon.

Then the House adjourned to Four o'Clock, *P. M.*

The House again took up the Governor's Speech, which was read by Order, and after some Debate thereon, referred to further Consideration.

His Honour, by Mr. Secretary, sent down a written Message to the House, with some Minutes of Conferences lately held in the Council Chamber, with the *Wighalousin Indians*, which were read by Order, and the said Message follows in these Words, *viz.*

GENTLEMEN,

'I LAY before you the Minutes of several Conferences I have held with *Papounan*, and some other *Indians*, who live at *Wighalousin*, on the River *Susquehanna*. I have no Reason to doubt that they have disclosed to me all that they really know of the present State of the *Indian War*, and of the Causes assigned by the Enemy *Indians* in their Neighbourhood for their renewing Hostilities against us.—They have intimated to me, that they, and a few others, with whom they are connected, being really our sincere Friends, are uneasy at their present Situation, and would incline to come and live among us, if we would receive and protect them. They have been very importunate with me for an immediate Answer, alleging, as they have been very kindly treated by us, if this Overture should be likewise favourably accepted, that it would confirm those who are already well disposed, and also incline many others, who are at present in Arms against us, to sue for Peace.

The Commissioners who are joined with me in the Disposition of the public Money, were made acquainted with this Affair; and though they agreed with me as to the Expediency and Utility of the Measure, yet as it would be attended with Expence, and the public Funds were nigh exhausted, we did not think proper to go into it.—I therefore recommend it to you to consider this Matter; and if you concur with me in Opinion that this will be for the public Service, and will provide a Fund on the Occasion, I desire you will give me your Answer as soon as possible, that I may no longer detain the *Indians*, who are impatient to return Home with my Messages.

'I am also to lay before you a Piece of Intelligence I received from *Lancaster* on *Friday* last, which has given me

utmost Concern. On the Fourteenth Instant a Number of People, well armed and mounted, went to the *Indian Town* in *Conestogoe* Manor, and, without the least Reason and Provocation, in cool Blood, barbarously killed six of the *Indians* settled there, and would probably have treated all the rest with the same Cruelty, had they not previously been abroad at that Time; and after burning all their Houses, the Perpetrators of this inhuman and wicked Action retired.

'As the *Indians* were seated on the Manor by the Government, and had lived there peaceably and inoffensively during all our late Troubles, I conceived they were as much under the Protection of the Government, and its Laws, as any others amongst us; wherefore I thought it my duty to do every Thing in my Power for the immediate apprehending and bringing to Justice the Authors of this horrid Scene; and accordingly, by the Advice of the Council, I have dispatched Letters to the Magistrates of *Lancaster*, *Cumberland* and *York* Counties, requiring and charging them to exert themselves, and endeavour, by all possible Means, to discover and secure the Principals concerned in this outrageous Act, and their Accomplices. I am also preparing a Proclamation, ordering and requiring all Officers, civil and military, and all his Majesty's Subjects in this Government, to be aiding and assisting to the Magistrates in the Execution of the Laws on this unhappy Occasion. Such of the *Conestogoe Indians* as had the good Fortune to escape the Fury of the above-mentioned lawless Party, are now taken under the Protection of the Magistracy at *Lancaster*, and are secured in the Work-house there, but are in great Distress for Want of Necessaries and Apparel, having lost every Thing, except the little they had on their Backs, in their Houses, which were burnt. As they do not apprehend themselves to be safe where they are, they have, by a verbal Message by one of your Members, requested of me that they may be removed to this City, or its Neighbourhood; and I am very ready to comply immediately with their Desire, provided you will enable me to defray the Expence of it.

December 21, 1763.

JOHN PENN."

Then the House adjourned to Ten o'Clock To-morrow Morning.

December 22, 1763.

The House taking into Consideration the Governor's Speech of the Twentieth Instant, after some Time spent therein,

Resolved, That this House will comply with the General's

Requisition of granting to his Majesty One Thousand Men, exclusive of commissioned Officers, on the Terms proposed by the General, and recommended to the House by his Honour's Speech of the Twentieth Instant.

Then the House adjourned to Four o'Clock, *P. M.*

Two Petitions, from a Number of Carters of the City of *Philadelphia* and the *Northern Liberties*, were presented to the House and read, setting forth, that the Petitioners, in Consequence of a Law passed last Session of Assembly, to commence the First of *March* next, are under the Necessity of providing themselves with Wheels having Fellies seven Inches wide, under a very heavy Penalty imposed by the said Act. That in order to comply with the said Law, the Petitioners have applied to several Wheelwrights, in and near the City, to make them Wheels of the Dimensions required by the Act aforementioned; and that the said Wheelwrights acquaint them, they cannot make durable Cart-Fellies, of so large a Size, for Want of proper Timber, which this Country, as they apprehend, does not afford. That the Petitioners are credibly informed the said Wheelwrights, upon a Consultation among themselves, have agreed that they will make no Cart Wheels whose Fellies are seven Inches wide under *Seven Pounds* a Pair; that the Petitioners are therefore obliged to make Application to the House for Relief, and (though far from prescribing Rules to their Representatives) humbly conceive, that Fellies of four Inches wide may as fully answer the good Intention of the Law, as those of a larger Size. And as the Wheelwrights boast that the Act was not made to restrict them, the Petitioners pray the House will be pleased (since the Rates for Carting are fixed by Law) to limit also the Price for Cart Wheels. *Ordered to lie on the Table.*

Ordered, That Mr. *Galloway*, Mr. *Fox*, Mr. *Hughes*, Mr. *Dickinson*, Mr. *Rhoads*, Mr. *Rodman*, Mr. *Morton*, Mr. *Wright*, Mr. *Blackburn*, Mr. *M'Connaughy* and Mr. *Ross* be a Committee to prepare and bring in an Answer to the Governor's Speech of the Twentieth Instant.

Ordered, That the same Members be also a Committee to prepare and bring in an Answer to his Honour's Message of the Twenty-first Instant.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

December 23, 1763.

The House met, and adjourned to Three o'Clock, *P. M.*

A Petition from *Lewis Weiss*, in Behalf of *Renatus*, a *Moravian Indian*, now under Confinement in the Goal of this

City, on Suspicion of Murder, was presented to the House and read, praying Leave to bring in a Bill for trying the said *Indian* in the City of *Philadelphia*, instead of the County of *Northampton*, where the said Murder was committed. *Ordered to lie on the Table.*

The Committee appointed to prepare and bring in an Answer to the Governor's Speech of the Twentieth Instant, reported, they had essayed a Draught for that Purpose, which they delivered to the Chair, and the same being read, and agreed to by the House, was ordered to be transcribed.

The Committee appointed to prepare and bring in an Answer to the Governor's Message of the Twenty-first Instant, reported, they had essayed a Draught for that Purpose, which they presented to the Chair, and the same being read, and agreed to by the House was ordered to be transcribed.

Then the House adjourned to Eleven o'Clock To-morrow Morning.

December 24, 1763.

The Answers of the House to the Governor's Speech and Message, of the Twentieth and Twenty-first Instant, were again read at the Table, signed by the Speaker, by Order of the House, and are as they respectively follow, *viz.*

To the Honorable JOHN PENN, Esq; Lieutenant-Governor and Commander in Chief of the Province of Pennsylvania, and Counties of New-Castle, Kent and Sussex, upon Delaware.

The ADDRESS of the REPRESENTATIVES of the FREEMEN of the said Province, in GENERAL ASSEMBLY met.

May it please your HONOUR,

THE Representatives of the Freemen of the Province of *Pennsylvania*, in General Assembly met, with the most cordial Satisfaction, embrace this Opportunity to congratulate your Honour on your safe Arrival among us, and Accession to this Government.

The Appointment of one of the Descendants of our first worthy Proprietary to preside over the Province, gives us high Pleasure, and, we doubt not, is very agreeable to the People we represent; as we are induced to hope for many Advantages from the Administration of one of the Proprietary Family, whose true Interest is certainly so intimately connected with that of the People, that neither can suffer an Injury, by any unfortunate Disunion, without affecting the other.

Permit us therefore to return your Honour our Thanks for the warm Professions you are pleased to make of doing

every Thing in your Power that may tend to the Advantage and Prosperity of the Province, and to cultivate and improve Harmony and a good Understanding with us, and all future Assemblies. A Conduct so judicious and obliging, must certainly render your Government easy and agreeable to yourself, and happy to the People, as you may be assured nothing shall be wanting, on our Parts, to promote and preserve that Harmony which is so essentially necessary, at all Times, for the Ease of the several Branches of the Legislature, and the Public Welfare.

Permit us also to request, you will be pleased to return the Honourable Proprietaries our hearty Acknowledgments for the Assurances they give us of their paternal Regard and Affection for the good People of this Province, and their Inclination to promote our real Happiness. Such a Disposition, we are persuaded will secure to our Proprietaries the Esteem and Respect of the Inhabitants of the Province, and induce them, on all Occasions, to unite in promoting the Proprietary Interest, and the Happiness of their Families.

The good Opinion you are pleased to entertain of our Zeal for his Majesty's Service, and our Regard for the Safety of the Province, is very grateful to us. The paternal Affection of the best of Sovereigns for his Subjects, however remote, and his constant Attention to the Preservation of their Rights and Liberties, justly demand the highest Degree of Loyalty and Affection to his Royal Person, and Zeal for his Service, that a grateful People can possibly demonstrate. And the important Charge with which we are entrusted, and our inviolable Duty to the People we represent, we hope will insure to them our utmost Regard to their Protection and Safety. Influenced by these Motives, we have resolved to comply fully with the General's Requisition recommended to us by your Honour, in granting to his Majesty a Thousand Men, exclusive of commissioned Officers, to be divided into two Corps, commanded by their proper Field Officers; and we shall immediately proceed to prepare a Bill for the raising of the Supplies necessary for the Cloathing and Paying the Troops, that the same may be presented to your Honour, for your Concurrence.

To this important Measure we have acceded with the utmost Chearfulness, from a Conviction, that nothing less than a vigorous Exertion of the united Strength of the Colonies, in offensive Operations against the Enemy, and making them sensible of the Weight of our just Resentment, for their Perfidy in captivating and cruelly murdering our Inhabitants, as well as Traders, who were supplying them with the Nec-

saries of Life, at their own Instance and Solicitation, can procure a Restitution of our Fellow-Subjects, who have been perfidiously taken or detained since the late Peace, contrary to express Treaties; nor can any Thing less, in our Opinion, obtain a Redress for the Losses sustained by our Merchants and others, his Majesty's Subjects in this Province, and reduce the Enemy to accept of reasonable Terms of Accommodation: And at the same Time that we have resolved thus fully to comply with the General's Requisition, we make no Doubt the Lower Counties, under your Honour's Government, will likewise chearfully raise a proportionable Number of Men for the same important Service.

Signed by Order of the House,

December 24, 1763.

ISAAC NORRIS, *Speaker.*"

A MESSAGE to the GOVERNOR from the ASSEMBLY.

May it please your HONOUR,

WE have taken into our Consideration your Honour's Message of the Twenty-first Instant, and are extremely concerned to hear of the unprovoked Cruelties committed on the peaceable *Indians* settled on *Conestogoe* Manor.

We thank the Governor for communicating this Intelligence, and the *Indian* Conference, to us; and for the Measures he has taken to have the Perpetrators of this horrid Barbarity, and their Accomplices, apprehended and brought to Justice.

We will provide for the Expence of removing and maintaining such of those unhappy People as have escaped the Fury of the above-mentioned lawless Party; and desire your Honour will be pleased to order them to be brought down to some Place of Safety, as soon as it can conveniently be done.

We shall also make Provision for the Support of the few friendly *Indians* at *Wighalousin*, on the *Susquehanna*, who incline to come and live amongst us, whenever your Honour shall think proper to invite them into the interior Parts of the Province.

Signed by Order of the House,

December 24, 1763.

ISAAC NORRIS, *Speaker.*"

Ordered, That Mr. *Richardson* and Mr. *Rhoads* do wait on the Governor with the foregoing Answer to his Message of the Twenty-first Instant, and acquaint him, that the House having prepared an Address, in Answer to his Honour's Speech at the Opening of the Session, request to know whether it may be convenient they should wait on him to present the

same this Afternoon, as the Members incline to adjourn over the Holidays, if the Governor hath no Objection thereto.

Ordered, That a fair Copy of the said Address be made out against the Afternoon.

The House then taking into Consideration the Governor's Support for the current Year; after some Debate thereon, it was

Resolved, upon the Question,

That the Sum of *Six Hundred Pounds* be allowed and given to the Honourable JOHN PENN, Esq; Lieutenant-Governor of this Province, &c. towards his Support for the current Year: And a Certificate for the said Sum being drawn, by Order, at the Table, the same was signed by the Speaker, in order to be presented to his Honour, when the House shall wait on him with their Address.

Then the House adjourned to Four o'Clock, *P. M.*

The Members appointed to wait on the Governor with the Message of the House in the Forenoon, reported, they had delivered the same according to Order; and that his Honour was pleased to say, he would be in the Council Chamber at Half after Four this Afternoon, to receive the House with their Address; and had no Objection to their proposed adjournment.

A Message by Mr. Secretary:

SIR,

"The Governor attends his Appointment with the House, in the Council Chamber."

Then Mr. Speaker, with the whole House, waited on his Honour; and being returned, the Speaker resumed the Chair, and reported, that they had waited on the Governor, and presented the Address of the House, in Answer to his Speech of the Twentieth Instant; to which his Honour had been pleased to make the following Reply, *viz.*

"Gentlemen,

"I am extremely obliged to you for your kind and affectionate Address. I shall take a particular Pleasure in communicating to the Proprietaries that Part of it wherein you are pleased to express the due Sense you have of their Regard and Affection, which I know will be most acceptable to them.

"Your speedy Resolutions, respecting the General's Requisition of Troops, to be employed in offensive Operations against our *Indian* Enemies, and the Chearfulness with which you have voted the full Quota demanded, cannot fail to commend you to his Majesty's Favour, as you thereby testify

your Zeal for his Service, as well as your Regard for the Safety and Happiness of the People of this Province."

Mr. Speaker further reported, that he had then, in Behalf of the House, presented their Certificate for *Six Hundred Pounds* to his Honour, for which he was pleased to return his Thanks to the House.

Then the House adjourned to *Monday*, the Second of *January* next, at Three o'Clock in the Afternoon.

January 2, 1764.

THE House met, pursuant to Adjournment.

A Petition from a Number of the Frontier Inhabitants of *Berks* County was presented to the House and read, praying that the Causes of the present *Indian* Incursions may be enquired into, and proper Measures taken to restore Peace to the Province. *Ordered to lie on the Table.*

The the House adjourned to Ten o'Clock To-morrow Morning.

January 3, 1764.

Mr. *Carpenter* and Mr. *McConnaughy* this Day appearing in the House for the first time since their Election, were qualified as usual, and took their Seats accordingly.

The House resuming the Consideration of their Resolve of the Twenty-second ultimo, and the Necessity of Supplies for raising and paying the Troops thereby granted to his Majesty, after some Time spent therein,

Ordered, That Mr. *Dickinson* and Mr. *Rhoads* wait on the Governor, and acquaint him, that the House having under Consideration the Supplies requisite for carrying into Execution their late Vote of a Thousand Men for his Majesty's Service, request his Honour would be pleased to furnish them with an Estimate of the Expence that will accrue thereon: And the said Members have it also in Charge to let the Governor know, that the House being acquainted by his Proclamation, now before them, and otherwise, that the highest Insult upon Government hath been lately offered, by a Number of riotous Persons in the County of *Lancaster*, who, in Contempt of legal Authority, have broke open the Work-house of the said County, and cruelly murdered the Remains of the *Conestogoe Indians*, lodged, for their greater Security, in the said Work-house, by the Governor's Order; which Act of Violence and Cruelty requires immediate Notice, and exemplary Punishment, this House are willing and desirous to strengthen his Honour's Hands, to the utmost of their Power,

for apprehending and bringing to Justice the Perpetrators and Abettors of the said inhuman and illegal Act.

The Members return, and report, they had delivered the foregoing Message according to Order; and that his Honour was pleased to say, he would furnish the House with the Estimate requested, as soon as the same can be prepared; and that they might expect to hear from him by a Message this Afternoon, concerning the late Outrage committed at *Lancaster*.

Then the House adjourned to Three o'Clock, *P. M.*

Upon Motion,

The Petition of *Lewis Weiss*, in Behalf of *Renatus*, a *Moravian Indian*, committed to the Goal of this City, on Suspicion of Murder, was again read, and referred to further Consideration.

The Governor, by Mr. Secretary, sent down a written Message to the House with some Letters therein referred to, which were severally read by Order, and the said Message follows in these Words, *viz.*

"GENTLEMEN,

"I WAS preparing a Message, to inform you of the cruel Massacre of the *Indians*, in the Work-house of the Borough of *Lancaster*, on the Twenty-seventh of last Month, by a wicked and lawless Set of Rioters, when I received a Message by two of your Members, that you were already made fully acquainted with the Particulars of that horrid Scene of Barbarity, and insolent and daring Violation of the Laws. The Letters which I have ordered herewith to be laid before you, prove, that the Party who perpetrated this Outrage, do not intend to stop here, but are making great Addition to their Numbers, and are actually preparing to come down in a large Body, and cut off the *Indians*, seated by the Government on the *Province Island*; and it is difficult to determine how far they may carry their Designs, or where the Mischief may end.

"You must be sensible, Gentlemen, that the civil Power alone is incapable of frustrating the Attempts of those abandoned and desperate Persons, and that no Means can be effectual, but the opposing Force by Force. It is, moreover, particularly unfortunate at this Time, that we have no Funds, out of which the Expence of levying Men, to strengthen the Hands of Government, and protect the *Indians*, might be defrayed.

"As a Moment's Time is not to be lost, I must beg your most serious and immediate Attention to this important Affair, and hope that, by a Bill in all Respects adequate to the

present Exigency, you will furnish me with full Powers to repel those bold Invaders of Law and Justice, and support the Honour and Dignity of the Government.

January 3, 1764.

JOHN PENN."

The House taking into immediate Consideration the foregoing Message from his Honour, and having spent some Time therein,

Resolved, N. C. D. That they will make Provision for defraying the Expence of such additional Force as the Governor and Provincial Commissioners shall find necessary to frustrate the further wicked Designs of the lawless Rioters, who have perpetrated the above-mentioned inhuman Murders on the *Conestogoe Indians*, ancient Friends of this Province, and living under the Protection of its Government.

And an Answer to the Governor's Message being drawn at the Table, the same was agreed to by the House, signed by the Speaker, and follows in these Words, *viz.*

May it please your Honour,

THE House have given their "*most serious and immediate Attention to the important Affair*" laid before them, in your Honour's Message of this Afternoon, and considering that the military Force of this Province is at present engaged in the Defence of our long extended Frontier, by your Honour's Orders, have unanimously entered into a Vote of Credit, that they will make Provision for defraying the Expence of such additional Force as the Governor and present Provincial Commissioners shall find necessary to frustrate the further wicked Designs of those lawless Rioters, who have perpetrated the most inhuman Murders on the poor defenceless *Indians*, ancient Friends of this Province, and living under the Protection of its Government. And they with Pleasure acquaint your Honour, that they are just now informed a considerable Sum has been lately paid into the Hands of the Treasurer, which may be immediately applied to the Purpose of "*repelling those bold Invaders of Law and Justice, and supporting the Honour and Dignity of the Government,*" and which will probably be sufficient, till such a Bill as your Honour recommends can be prepared and considered.

Signed by Order of the House,

January 3, 1764.

ISAAC NORRIS, Speaker."

Ordered, That Mr. Fox and Mr. Galloway wait on the Governor, and deliver the above Answer to his Message of this Afternoon.

A Petition from *Lewis Weiss*, of the City of *Philadelphia*, in Behalf of the *Moravian Indians* under the Protection of the

Government, on the *Province Island*, was presented to the House and read, setting forth, that the Lives of the said *Indians* are threatened by some People on *Susquehanna*, who have lately committed several Murders in the County of *Lancaster*, and that it is apprehended those Villians will be down this Night or To-morrow, in what Number the Petitioner knows not: That the said *Indians* are without Protection, and that all their Safety consists in the Solidity of the Measures that may be taken for their Retreat; and a Retreat without a certain Place to retreat to, is, in this cold Season, not much less than to go to certain Death: That the Petitioner humbly proposes, whether there could not be a Vessel provided for One Hundred and Twenty-seven *Indians*, Men, Women and Children, and their two Ministers, with sufficient Provisions in the same, to carry them to *England*, at the Expence of the Public; or, if that cannot be done, the Petitioner prays the Advice of the House, how the said *Indians* shall direct their Flight from the said Island. *Referred to further Consideration.*

Then the House adjourned to Ten o'Clock To-morrow Morning.

January 4, 1764.

The Members appointed to wait on the Governor with the Answer of the House to his Message of Yesterday, reported, they had delivered the same according to Order.

A Petition from the Commissioners appointed by Law to erect a Light-house on Cape *Henlopen*, and to place Buoys in the Bay of *Delaware*, was presented to the House and read, setting forth, that, in Pursuance of the said Law, they repaired to Cape *Henlopen* in the Month of *November* last, viewed the adjacent Grounds, and fixed on the most convenient and proper Spot to erect a Light-house upon, and caused a Survey of Two Hundred Acres of Land, for that Purpose, to be made;—that the Spot fixed upon is of very difficult Access to bring Materials to, after they are loaded, and must necessarily occasion a very great Expence.—That from their own Opinion, as well as from that of the Persons they have consulted (whose Judgment they have a Reliance upon) in order to ascertain, as near as possible, the Expence of these Services, it appears to them, it will amount to about *Six Thousand Five Hundred Pounds*.—That they find the Money they have a Power over, by the Law for effecting these Purposes, (if all can be recovered) amounts to about *Twenty-three Hundred Pounds*.—Wherefore they are under a Necessity of applying to the House for such Aid to enable them to

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